

Defendants Bradford J. Raffensperger, Secretary of State of Georgia, and State Election Board members Rebecca N. Sullivan, David J. Worley, Matthew Mashburn, and Ahn Le (collectively, “State Defendants”) hereby move to dismiss Plaintiffs’ Complaint pursuant to FED. R. CIV. P. 12(b)(1), 12(b)(5), and 12(b)(6) for lack of subject matter jurisdiction, nonexistent or insufficient service of process, failure to state a claim, and various other threshold defenses stated in the accompanying brief in support. The State Defendants also move that the Court deny any injunctive, declaratory relief, and other relief sought in the Plaintiffs’ Complaint. State Defendants respectfully request that the Court grant their motion and dismiss the action with prejudice. A consolidated brief in support of this motion and in opposition to Plaintiffs’ Motion for Temporary Restraining Order and Preliminary Injunction is being filed simultaneously.

Respectfully submitted, this 15th day of December, 2020.

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CERTIFICATE OF SERVICE

This is to certify that I have this day electronically filed the foregoing **STATE DEFENDANTS' MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system which will send notification of such filing to counsel for all parties of record via electronic notification.

Dated: December 15, 2020.

/s/ Russell D. Willard

Russell D. Willard

Senior Assistant Attorney General