

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM C. TOTH, JR., et al,
Plaintiffs,

v.

LEIGH M. CHAPMAN, in her official
capacity as Acting Secretary of the
Commonwealth; JESSICA MATHIS, in
her official capacity as Director for the
Pennsylvania Bureau of Election Services
and Notaries; and TOM WOLF, in his
official capacity as Governor of
Pennsylvania,

Defendants.

No. 1:22 Civ. 208 (JPW)

**DEFENDANTS' MOTION TO DISMISS THE ELECTIONS CLAUSE
CLAIMS IN THE SECOND AMENDED COMPLAINT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(1)**

Defendants respectfully move this Court to dismiss the Elections Clause claims asserted by Plaintiffs in their Second Amended Complaint. In support of this Motion, Defendants rely upon the accompanying Memorandum of Law.

Plaintiffs oppose this Motion.

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March 2022, a true and correct copy of the foregoing was served upon all counsel of record via the court's CM/ECF electronic filing system.

/s/Joshua Matz