

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

| | | |
|---------------------------|---|------------------------------------|
| IVAN E. RAIKLIN, |) | |
| |) | |
| <i>Plaintiff,</i> |) | |
| |) | |
| v. |) | Civil Action No. 3:18-cv-00288-JAG |
| |) | |
| VIRGINIA BOARD/DEPARTMENT |) | |
| OF ELECTIONS, et al, |) | |
| |) | |
| <i>Defendants.</i> |) | |
| _____ |) | |

PARTY DEFENDANTS' MOTION TO DISMISS

Defendants Republican Party of Virginia, Inc., and John Findlay, in his official capacity as executive director of the Republican Party of Virginia (“Party Defendants”), by counsel, respectfully move to dismiss Plaintiff’s Complaint, Dkt. No. 1. Party Defendants so move on the grounds that Plaintiff lacks standing, *see* Fed. R. Civ. P. 12(b)(1), and that the Plaintiff’s Complaint fails to state a claim upon which relief can be granted, *see* Fed. R. Civ. P. 12(b)(6).

The basis for this Motion and the grounds in support of the requested relief are detailed in Party Defendants’ Memorandum in Support of this Motion, filed with this Motion.

Respectfully submitted,

REPUBLICAN PARTY OF VIRGINIA
and JOHN FINDLAY

By: /s/ Christopher M. Marston
Christopher M. Marston (VSB No. 65703)
General Counsel
Counsel for Party Defendants
Republican Party of Virginia
115 E Grace St
Richmond VA 23218
Telephone: (571) 482-7690
Facsimile: (703) 997-2549
Email: cmarston@rpv.org

LOCAL CIVIL RULE 7(K) NOTICE

Plaintiff Ivan Raiklin, *Pro Se*, please take notice:

1. You are entitled to file a response opposing the motion and that any such response must be filed within twenty-one (21) days of the date on which the dispositive or partially dispositive motion is filed; and
2. The Court could dismiss the action on the basis of this motion and its supporting memorandum if you do not file a response; and
3. You must identify all facts stated in this motion and its supporting memorandum with which you disagree and must set forth your own version of the facts by offering affidavits (written statements signed before a notary public and under oath) or by filing sworn statements (bearing a certificate that it is signed under penalty of perjury); and
4. You are also entitled to file a legal brief in opposition to the one filed with this motion.

/s/ Christopher M. Marston
Christopher M. Marston (VSB No. 65703)
General Counsel
Counsel for Party Defendants
Republican Party of Virginia
115 E Grace St
Richmond VA 23218
Telephone: (571) 482-7690
Facsimile: (703) 997-2549
Email: cmarston@rpv.org

CERTIFICATE OF SERVICE

I certify that on May 24, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, serving Counsel of Record for State Defendants. I hereby certify that I sent the foregoing document via overnight delivery and email to the following non-filing user:

Ivan E. Raiklin
2221 S. Clark Street
Arlington, VA 22202
Email: ivan@raiklin.com

/s/ Christopher M. Marston
Christopher M. Marston (VSB No. 65703)
General Counsel
Counsel for Party Defendants
Republican Party of Virginia
115 E Grace St
Richmond VA 23218
Telephone: (571) 482-7690
Facsimile: (703) 997-2549
Email: cmarston@rpv.org