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*Counsel for Nichol Scribner*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

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ZANE GREY, a Citizen of Montana,	)	
	)	Case No.: CV 22-82
Plaintiff,	)	
	)	
v.	)	DEFENDANT NICHOL
	)	SCRIBNER'S UNOPPOSED
	)	MOTION TO DISMISS AND
CHRISTI JACOBSEN, as the	)	MOTION TO VACATE PPTC
Montana Secretary of State;	)	
CHRISTI JACOBSEN, in her	)	
personal capacity; NICHOL	)	
SCRIBNER, as the Sanders County	)	
Elections Director; NICHOL	)	
SCRIBNER in her personal capacity;	)	
ELECTION SYSTEMS &	)	
SOFTWARE, LLC (ES&S),	)	
	)	
Defendants.	)	

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Defendant Nichol Scribner (Scribner), in all capacities, through her counsel of record, moves this Court for an order dismissing all claims against her based

upon a lack of subject matter jurisdiction. The lack of jurisdiction was established by this Court's recent Order (Doc. #53).

Counsel for Scribner has contacted Plaintiff regarding this Motion, and Plaintiff's response is attached as Exhibit 1. As the Court can see, Mr. Grey does not agree with the determination of no jurisdiction, but acknowledges that such a determination would apply to claims against Ms. Scribner as well. Under these circumstances, Defendant Scribner further asks that the November 17, 2022 preliminary pretrial conference be vacated. Grey has not returned an email of today, from the undersigned, about this matter.

DATED this 11th day of November 2022.

County Litigation Group

/s/ Mark F. Higgins

Mark F. Higgins

/s/ Gregory L. Bonilla

Gregory L. Bonilla