

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

JUDICIAL WATCH, INC. ,

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Plaintiff,

v.

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Case No.: 17-cv-02006-ELH

LINDA H. LAMONE, *et al.*,

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*

Defendants.

* * * * *

**MOTION TO DISMISS PLAINTIFF'S COMPLAINT OR, IN THE
ALTERNATIVE, FOR SUMMARY JUDGMENT**

Defendants Linda H. Lamone, State Administrator of Elections; David J. McManus, Jr., Chairman, Maryland State Board of Elections; Patrick J. Hogan, Vice-Chairman, Maryland State Board of Elections; Michael R. Cogan, Member, Maryland State Board of Elections; Kelley A. Howells, Member, Maryland State Board of Elections; Gloria Lawlah, Member, Maryland State Board of Elections; and Jared DeMarinis, Public Information Officer, Maryland State Board of Elections; all sued in their official capacities (the “State Defendants”), by their undersigned attorneys and pursuant to Rules 12(b)(6) and 56 of the Federal Rules of Civil Procedure, hereby move to dismiss Plaintiff’s Complaint or, in the alternative, for summary judgment.

The grounds for the instant motion are contained in the Memorandum of Law filed herewith and incorporated by reference herein.

WHEREFORE, for the reasons stated herein, the State Defendants hereby request that the Court enter an order dismissing Plaintiff's Complaint with prejudice or, in the alternative, entering summary judgment in favor of the State Defendants and granting such other and further relief as may be appropriate.

Respectfully submitted,

BRIAN E. FROSH
Attorney General of Maryland

/s/ Robert A. Scott

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September 14, 2017

Attorneys for the State Defendants

CERTIFICATE OF SERVICE

I certify that on this 14th day of September 2017 the foregoing Motion to Dismiss or, in the Alternative, for Summary Judgment, and supporting Memorandum of Law were filed via ECF and thereby served on all counsel of record.

/s/ Robert A. Scott
Robert A. Scott