

**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.

* * * * *

STATE DEFENDANTS’ CROSS-MOTION 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; Malcolm Funn, Member, Maryland State Board of Elections;¹ 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 Rule 56 of the Federal Rules of Civil Procedure, hereby move for summary judgment.

¹ Gloria Lawlah, a former Member of the Maryland State Board of Elections (the “State Board”) and defendant in her official capacity in this case, was substituted by Mr. Funn upon her resignation from and Mr. Funn’s appointment to the State Board, pursuant to Fed. R. Civ. P. 25(d) (public officer who is party to suit in official capacity “is automatically substituted as a party” by the officer’s successor).

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 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/ Andrea W. Trento

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March 11, 2019

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