

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

VOTEAMERICA AND VOTER
PARTICIPATOIN CENTER, }

Plaintiffs, }

vs. }

SCOTT SCHWAB, in his official capacity as
Secretary of State of the State of Kansas; }
DEREK SCHMIDT, in his official capacity as
Attorney General of the State of Kansas; and }
STEPHEN M. HOWE, in his official capacity
as District Attorney of Johnson County, }

Defendants. }

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT

Defendants Scott Schwab, Derek Schmidt, and Stephen Howe, each sued in their official capacities and acting by and through their undersigned counsel, move to dismiss Plaintiffs' Complaint for: (i) lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1); and (ii) failure to state a claim upon which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(6). Defendants have concurrently filed a Memorandum in Support.

Respectfully Submitted,

By: /s/ Bradley J. Schlozman
Bradley J. Schlozman (KS Bar #17621)
Scott R. Schillings (Bar # 16150)
Krystle M. S. Dalke (Bar # 23714)
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CERTIFICATE OF SERVICE

I certify that on July 9, 2021, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notifications of such filing to the e-mail addresses on the electronic mail notice list, including counsel for the Plaintiffs.

By: /s/ Bradley J. Schlozman