

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

VOTEAMERICA AND VOTER  
PARTICIPATION 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.*

Case No. 2:21-cv-2253-KHV-GEB

**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)

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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