

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

PRESIDENT DONALD J. TRUMP, an individual,
REPRESENTATIVE MARIANNETTE MILLER-
MEEKS, an individual, and FORMER STATE
SENATOR BRADLEY ZAUN, an individual,

Plaintiffs,

v.

J. ANN SELZER, an individual, SELZER &
COMPANY, DES MOINES REGISTER AND
TRIBUNE COMPANY, and GANNETT CO.,
INC,

Defendants.

Case No.: 4:24-cv-00449-RGE-WPK

MOTION FOR REMAND TO STATE COURT AND FOR ATTORNEYS' FEES

Plaintiffs, President Donald J. Trump, Representative Mariannette Miller-Meeks, and Former State Senator Bradley Zaun hereby respectfully move this court for an order pursuant to 28 U.S.C. § 1447 (c) remanding this matter to Iowa District Court, Polk County. Defendants have failed to meet their burden of establishing this Court's jurisdiction under any of the bases cited in Defendants' Notice of Removal. This Court no longer has subject matter jurisdiction over this case, as there is not complete diversity between and among the parties.

Defendants also cannot credibly contend that they had any objectively reasonable basis for removal of this action and improperly utilized "snap removal," and thus Plaintiffs should be awarded their attorneys' fees incurred because of the removal. Moreover, on February 4, 2025, seeking to avoid waste of time, money, and judicial resources, undersigned counsel sent an email to Defendants' counsel inquiring as to whether Defendants would stipulate to remand, given the

addition of Iowa citizens as Plaintiffs and the resultant loss of diversity. However, on February 7, Gannett's counsel, Nicholas A. Klinefeldt, replied: "We have no plans to stipulate to remand at this time."

In support of this motion, Plaintiffs rely on their accompanying Memorandum of Law and the Declaration of Alan R. Ostergren with attached exhibits.

Dated: February 21, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing document was served upon all parties of record through the Court's CM/ECF electronic filing system, with copies sent to the below-named individuals by electronic mail on February 21, 2025.

/s/ Edward Andrew Paltzik

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