

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD J. TRUMP FOR
PRESIDENT, INC., *et al.*,

Plaintiffs,

v.

KATHY BOOCKVAR, *et al.*,

Defendants,

NAACP-PENNSYLVANIA STATE
CONFERENCE, *et al.*,

Intervenor-Defendants,

DNC SERVICES
CORPORATION/DEMOCRATIC
NATIONAL COMMITTEE,

Intervenor-Defendant.

Civil Action

No. 4:20-cv-02078-MWB

Hon. Matthew W. Brann

**MOTION TO DISMISS BY INTERVENOR-DEFENDANTS NAACP-
PENNSYLVANIA STATE CONFERENCE, BLACK POLITICAL
EMPOWERMENT PROJECT, COMMON CAUSE PENNSYLVANIA,
LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, JOSEPH AYENI,
LUCIA GAJDA, STEPHANIE HIGGINS, MERIL LARA, RICARDO
MORALES, NATALIE PRICE, TIM STEVENS, AND TAYLOR STOVER**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the National Association for the Advancement of Colored People-Pennsylvania State Conference, Black Political Empowerment Project, Common Cause Pennsylvania, League of Women Voters of Pennsylvania, Joseph Ayeni, Lucia Gajda, Stephanie Higgins, Meril Lara, Ricardo Morales, Natalie Price, Tim Stevens, and Taylor Stover, respectfully move for dismissal of Plaintiffs' Complaint for failure to state a claim upon which relief can be granted.

The reasons supporting Intervenor-Defendants' Motion are set forth in the accompanying supporting memorandum. Pursuant to Local Rule 7.1, a proposed order is also attached.

WHEREFORE, Intervenor-Defendants request that their Motion be granted and that Plaintiffs' Complaint be dismissed for the reasons set forth in the accompanying memorandum and supporting evidence.

Dated: November 12, 2020

Respectfully submitted,

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Women Voters of Pennsylvania, Joseph
Ayeni, Lucia Gajda, Stephanie Higgins,
Meril Lara, Ricardo Morales, Natalie
Price, Tim Stevens, and Taylor Stover*

CERTIFICATE OF SERVICE

I hereby certify that on this date, the foregoing motion to dismiss was filed electronically and served on Plaintiffs' counsel of record via the ECF system of the U.S. District Court for the Middle District of Pennsylvania; and via e-mail on counsel for defendants.

Dated: November 12, 2020

/s/ Witold J. Walczak
Witold J. Walczak

CERTIFICATE OF NON-CONCURRENCE

I hereby certify that pursuant to Local Rule 7.1, counsel for movants sought concurrence from the parties. Counsel for Plaintiffs advised that they do not concur. Counsel for other parties had not responded at the time of filing.

Dated: November 12, 2020

/s/ Witold J. Walczak
Witold J. Walczak