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Attorneys for Defendant the Montana Supreme Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

JERRY O'NEIL, GENE
KIRSCHBAUM, RUSSELL SIAS,
BARBARA LEVITT (Assembled
Voter), DARELL LEVIT (Assembled
Voter), and OTHER ASSEMBLED
VOTERS,

Plaintiffs,

v.

THE MONTANA SUPREME
COURT, THE STATE BAR OF
MONTANA, and THE MONTANA
SUPREME COURT AND THE
STATE BAR OF MONTANA,
JOINED TOGETHER AS THE
INTEGRATED BAR OF
MONTANA, and MONTANA
SECRETARY OF STATE CHRISTI
JACOBSEN,

Defendants.

Cause No. CV 23-161-M-DLC-KLD

**DEFENDANT THE MONTANA
SUPREME COURT'S MOTION TO
DISMISS**

Defendant The Montana Supreme Court moves for an order dismissing Plaintiffs' claims for failure to state a claim upon which relief can be granted, Fed. R. Civ. P. 12(b)(6)(1), and for lack of subject matter jurisdiction, Fed. R. Civ. P. 12(b)(1). This motion is supported by a brief filed contemporaneously herewith.

DATED: March 4, 2024

BOONE KARLBERG P.C.

/s/ Thomas J. Leonard

Matthew B. Hayhurst

Thomas J. Leonard

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on a copy of the foregoing was duly served by upon the following persons by the following means:

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DATED: March 4, 2024

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/s/ Kate M. Palmer

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Paralegal