

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

S.P.S., *ex rel.* SHORT, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:19-CV-04960-AT

DEFENDANTS' RENEWED MOTION TO DISMISS
WITH BRIEF IN SUPPORT

On August 13, 2020, this Court denied Defendants' Motion to Dismiss without prejudice, allowing Plaintiffs leave to amend their Complaint. [Doc. 68]. Plaintiffs have not yet amended their First Amended Complaint. Under Fed. R. Civ. P. 12(a)(4), Defendants' responsive pleading is due today because this Court denied Defendants' Motion to Dismiss.

Because Plaintiffs (1) have failed to amend their Complaint as this Court permitted and (2) this Court has already found the current allegations of Plaintiffs' First Amended Complaint are insufficient with respect to standing under the Eleventh Circuit's holding in *Jacobson*, [Doc. 68, p. 8], Defendants renew their request that this case be dismissed for all the

reasons contained in their prior motion to dismiss, which is incorporated by reference [Doc. 37].

Respectfully submitted this 27th day of August, 2020.

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CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing DEFENDANTS' RENEWED MOTION TO DISMISS WITH BRIEF IN SUPPORT has been prepared in Century Schoolbook 13, a font and type selection approved by the Court in L.R. 5.1(B).

/s/ Bryan P. Tyson
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