

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

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

Plaintiffs,

v.

KATHY BOOCKVAR, et al.,

Defendants.

NO. 2:20-cv-00966-NR

**MOTION OF THE BUCKS, CHESTER, MONTGOMERY, AND PHILADELPHIA
COUNTY BOARDS OF ELECTIONS TO DISMISS THE AMENDED COMPLAINT
OR, IN THE ALTERNATIVE, TO ABSTAIN PENDING STATE-COURT RESOLUTION
OF STATE-LAW QUESTIONS**

Defendants the Board of Elections of Bucks, Chester, Montgomery and Philadelphia Counties hereby move for an Order dismissing all claims in the Amended Complaint with prejudice or, in the alternative, dismissing Counts IV, V, VIII, and IX of the Amended Complaint with prejudice and staying the claims asserted in Counts I-III and VI-VII pending a final ruling by the Pennsylvania judiciary on the proper construction of the Pennsylvania Election Code provisions at issue. In support of this motion, Movants rely on the accompanying Memorandum of Law. A proposed form of Order is attached hereto.

Dated: July 31, 2020

HANGLEY ARONCHICK SEGAL
PUDLIN & SCHILLER

By: /s/ Mark A. Aronchick
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** Pro hac vice motion to be filed*

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CERTIFICATE OF COUNSEL

In accordance with § II(c) of this Court’s Practices and Procedures, I certify that on July 30, 2020, counsel for Defendants the Board of Elections of Bucks, Chester, Montgomery and Philadelphia Counties (the “Boards of Elections”) sent an email in a good-faith effort to confer with counsel for Plaintiffs on the Boards of Elections’ Rule 12 Motion to Dismiss the Amended Complaint. As of the time the Boards of Elections’ Motion was filed, counsel for Plaintiffs had not responded to the meet-and-confer email sent by counsel for the Boards of Elections.

Dated: July 31, 2020

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