

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

DONALD J. TRUMP FOR PRESIDENT, INC.; <i>et al.</i> ,)	CIVIL ACTION
)	
Plaintiffs,)	
)	
)	
v.)	No. 2-20-cv-966
)	
KATHY BOOCKVAR in her capacity as Secretary of the Commonwealth of Pennsylvania; et al.,)	
)	
Defendants.		

**DEMOCRATIC INTERVENORS’ MOTION TO DISMISS PURSUANT TO FED. R.
CIV. P. 12(B)(1) AND 12(B)(6)**

Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), the Pennsylvania State Democratic Party, Congressman Dwight Evans, State Senators Sharif Street and Vincent Hughes, State Representatives Danillo Burgos, Morgan Cephas, Austin Davis, Isabella Fitzgerald, Edward Gainey, Jordan Harris, Mary Isaacson, Malcolm Kenyatta, Patty Kim, Stephen Kinsey, Peter Schweyer, and candidates for office Nina Ahmad, Anton Andrew, Janet Diaz, Manuel M. Guzman, Jr., Rick Krajewski (“Candidates”) and State Senators Art Haywood and Anthony Williams (“Non-Candidate Legislators”) (collectively “Democratic Intervenors”) hereby file this Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) (“Motion to Dismiss”).

In support thereof, Democratic Intervenors incorporate by reference its Memorandum of Law in Support of their Motion to Dismiss.

Respectfully submitted,

/s/ A. Michael Pratt

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Dated: July 31, 2020

CERTIFICATE OF MEET AND CONFER

Before filing Proposed Democratic Intervenors' Motion to Dismiss, pursuant to Section 2(c) of Judge Ranjan's Practices and Procedures, on July 30, 2020, A. Michael Pratt, counsel for Proposed Democratic Intervenors, had a telephonic meet and confer with Ronald Hicks, counsel for Plaintiffs, to determine whether any purported defects with the Amended Complaint could be cured via a second amended complaint.

CERTIFICATE OF SERVICE

I, A. Michael Pratt, hereby certify that on July 31st, 2020, I caused a true and correct copy of the foregoing Democratic Intervenors' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) and Proposed Order to be served on the following counsel of record for Plaintiffs, Defendants and other proposed Intervenors listed on the docket via the Court's ECF system.

/s/ A. Michael Pratt

A. Michael Pratt