

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

GEORGIA STATE CONFERENCE OF :
THE NAACP, as an organization; et al. :

Plaintiffs, :
vs. :

BRAD RAFFENSPERGER, :
in his official capacity as the :
Georgia Secretary of State; et al. :

Defendants. :
_____ :

CIVIL ACTION FILE NO.

1:21-cv-01259-JPB

**COUNTY DEFENDANTS’ MOTION TO DISMISS
PLAINTIFFS’ FIRST AMENDED COMPLAINT**

Come now, the county boards of election and registration for Fulton, Gwinnett, and Cobb Counties (“County Defendants”), and move the Court to dismiss Plaintiffs’ First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(1) and (6), showing the Court that Plaintiffs’ lack standing to bring their claims against the County Defendants. In support of the motion, County Defendants rely on their Brief in Support of Motion to Dismiss Plaintiffs’ First Amended Complaint, filed concurrently with this motion.

Respectfully submitted this 12th day of July, 2021.

PHIL DANIELL, in his official capacity as Chairman of the Cobb County Board of Elections and Registration, FRED AIKEN, PAT GARTLAND, JESSICA M. BROOKS, and DARYL O. WILSON, JR., in their official capacities as Members of the Cobb County Board of Elections and Registration, (collectively the “Cobb County Defendants”);

BY: **HAYNIE, LITCHFIELD & WHITE, PC**

/s/ Daniel W. White

DANIEL W. WHITE

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Attorneys for Cobb County Defendants

ALEX WAN, in his official capacity as Chairman of the Fulton County Registration and Elections Board, MARK WINGATE, KATHLEEN D. RUTH, VERNETTA K. NURIDDIN, and AARON V. JOHNSON, in their official capacities as Members of the Fulton County Registration and Elections Board;

By: **OFFICE OF THE FULTON COUNTY ATTORNEY**

/s/ Kaye Woodard Burwell

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Attorneys for Fulton County Defendants

ALICE O'LENICK, in her official capacity as Chairman of the Gwinnett County Board of Registration and Elections, WANDY TAYLOR, STEPHEN W. DAY, GEORGE AWUKU, and SANTIAGO MARQUEZ, in their official capacities as Members of the Gwinnett County Board of Registrations and Elections;

By:

GWINNETT COUNTY LAW DEPARTMENT

/s/ Tuwanda Rush Williams

Tuwanda Rush Williams

Deputy County Attorney

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/s/ Melanie F. Wilson

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Attorneys for Gwinnett County Defendants

CERTIFICATE OF COMPLAINT WITH LOCAL RULE 7.1

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Times New Roman and a point size of 14.

/s/ Daniel W. White _____

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CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2021, I electronically filed the foregoing COUNTY DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

/s/ Daniel W. White

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