

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

ASIAN AMERICANS
ADVANCING JUSTICE-
ATLANTA, *et al.*,
Plaintiffs,

v.

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

CIVIL ACTION

FILE NO. 1:21-CV-01333-JPB

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

Come now, the county boards of election and registration for Fulton, DeKalb, Gwinnett, Cobb, Clayton, and Forsyth Counties, along with the named elections officials from each county (“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.

COBB COUNTY BOARD OF ELECTIONS AND REGISTRATION, PHIL DANIELL, FRED AIKEN, PAT GARTLAND, JESSICA M. BROOKS, and DARYL O. WILSON, JR., Members of the Cobb County Board of Elections and Registration, in their official capacities, JANINE EVELER, Director of the Cobb County Board of Elections and Registration, in her official capacity;

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

/s/ Daniel W. White

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Attorneys for Cobb County Defendants

Consented to and joined by the following County Defendants:

CLAYTON COUNTY BOARD OF ELECTIONS AND REGISTRATION, DARLENE JOHNSON, DIANE GIVENS, CAROL WESLEY, DOROTHY F. HALL, and PATRICIA PULLAR, Members of the Clayton County Board of Elections and Registration, in their official capacities, SHAUNA DOZIER, Clayton County Elections Director, in her official capacity;¹

By: **FREEMAN MATHIS & GARY, LLP**

/s/ Jack R. Hancock

Jack R. Hancock

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¹ The Clayton County Defendants consent to and join in the arguments set forth in Sections II.B.ii and II.B.iii of the Brief in Support of Motion to Dismiss Plaintiffs' First Amended Complaint only.

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DEKALB COUNTY BOARD OF REGISTRATIONS AND ELECTIONS,
ANTHONY LEWIS, SUSAN MOTTER, DELE L. SMITH, SAMUEL E.
TILLMAN, and BAO KY N. VU, Members of the DeKalb County Board of
Registrations and Elections, in their official capacities;²

By: **DEKALB COUNTY LAW DEPARTMENT**
/s/ Irene B. Vander Els
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Attorneys for DeKalb County Defendants

² The DeKalb County Defendants consent to and join in the arguments set forth in Sections II.B.ii and II.B.iii of the Brief in Support of Motion to Dismiss Plaintiffs' First Amended Complaint only.

FORSYTH COUNTY BOARD OF VOTER REGISTRATIONS AND ELECTIONS, BARBARA LUTH, MATTHEW BLENDER, JOEL NATT, CARLA RADZIKINAS, and RANDY INGRAM, Members of the Forsyth County Registrations and Elections Board, in their official capacities, MANDI B. SMITH, Director of the Forsyth County Board of Elections and Registration in her official capacity;

By:

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/s/ Patrick D. Jaugstetter

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FULTON COUNTY REGISTRATION AND ELECTIONS BOARD, ALEX WAN, MARK WINGATE, KATHLEEN D. RUTH, VERNETTA K. NURIDDIN, and AARON V. JOHNSON, Members of the Fulton County Registration and Elections Board, in their official capacities, RICHARD L. BARRON, Director of the Fulton County Registrations and Elections board, in his official capacity;

By:

OFFICE OF THE FULTON COUNTY ATTORNEY

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GWINNETT COUNTY BOARD OF REGISTRATIONS AND ELECTIONS,
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AWUKU, and SANTIAGO MARQUEZ, Members of the Gwinnett County Board
of Registrations and Elections, in their official capacities,
KELVIN WILLIAMS, Director of the Gwinnett County Board of Registrations and
Elections, in his official capacity;

By:

GWINNETT COUNTY LAW DEPARTMENT

/s/ Tuwanda Rush Williams

Tuwanda Rush Williams

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/s/ Melanie F. Wilson

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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