

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Paula M. Overby,

Civil No. 20-CV-2250 (WMW/TNL)

Plaintiff,

vs.

**DEFENDANTS'  
MOTION TO DISMISS**

Steve Simon, in his official capacity as the  
Minnesota Secretary of State, and Timothy  
Walz, in his official capacity as Governor  
of Minnesota,

Defendants.

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendants respectfully move the Court for an order dismissing all claims in Plaintiff's complaint for failure to state a claim upon which relief can be granted.

This motion is based on a memorandum of law and on all the files, records, and proceedings herein.

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Dated: November 19, 2020

Respectfully submitted,

KEITH ELLISON  
Attorney General  
State of Minnesota

s/ **Nathan J. Hartshorn**

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