

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

CASE TYPE: Civil Other/Misc.

Court File No. 19AV-CV-20-2183

Tyler Kistner, Tomas Settell,
Leilani Holmstadt, Dan Hall,
Jose W. Jimenez, Fern A.
Smith, Mariah de la Paz, Cynthia
Lonnquist, Pam Myhra, Megan
Olson, Sandra A. Jimenez,
Deborah Coxe, and Greg Buck,

Contestants,

v.

**CONTESTANTS' NOTICE OF
MOTION AND MOTION TO
AMEND NOTICE OF
ELECTION CONTEST**

Steve Simon, only in his official capacity
as the Minnesota Secretary of State,
Andy Lokken, only in his official capacity
as the Elections Director for Dakota County,
Angie Craig, Matt Klein, Karla Bigham,
Lindsey Port, Greg Clausen, Liz Reyer,
Rick Hansen, Ruth Richardson,
Jessica Hanson, Robert Bierman,
and John D. Huot,

Contestees.

TO: Dakota County District Court and the above-named Contestees and the attorneys,
William Topka, Assistant County Attorney, Dakota County
Attorney's Office, 1560 Highway 55, Hastings, Minnesota 55033, representing
Dakota County, and Nathan J. Hartshorn, Assistant Attorney General, 445
Minnesota Street, Suite 1400, St. Paul, Minnesota 55101-2134, representing
Secretary of State Steve Simon:

PLEASE TAKE NOTICE Contestants will move and hereby do move the court

for an order granting permission to amend their Notice of Election Contest Under Minnesota Statutes Chapter 209. This motion is made pursuant to Rule 15.01 of the Minnesota Rules of Civil Procedure and Minn. Stat. § 209.065 which states pleadings “may be amended in the discretion of the court.” Both Dakota County and Secretary of State Simon provided written consent to the amendment.

Contestant Dan Hall seeks to withdraw as a candidate contestant, which also requires the withdrawal of his opponent, contestee Lindsey Port. Deborah Coxe seeks to withdraw as a voter-contestant. Jerry Ewing seeks to be added as a voter-contestant. Finally, the misspelling of Nora L. Felton’s name was corrected in two footnotes.

Said motion will be heard at a time and place as determined by the court. This motion is based upon all pleadings and papers of record filed in this matter and the Third Affidavit of Jane L. Volz filed with this motion.

The undersigned hereby acknowledges that sanctions may be awarded pursuant to Minnesota Statutes § 549.211.

DATED: December 2, 2020.

VOLZ LAW FIRM, LTD.

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ATTORNEY FOR CONTESTANTS