

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Other Civil/Misc

Rene Rodriguez and Craig Johnson,

Court File No.: 62-CV-20-5601

Contestants,

v.

Steve Simon, only in his official capacity as
the Minnesota Secretary of State, and Betty
McCollum, Congressional candidate,

Contestees.

**CONTESTEE BETTY MCCOLLUM'S NOTICE OF MOTION AND MOTION TO
DISMISS**

TO: Contestants Rene Rodriguez and Craig Johnson

NOTICE OF MOTIONPLEASE TAKE NOTICE that on a date and time determined by the Court, Contestee Betty
McCollum will move the Court for entry of an order as set forth below.**MOTION**

Pursuant to Minnesota Rule of Civil Procedure 12.02, Contestee Betty McCollum respectfully moves the Court for an order dismissing the Notice of Contest. The Court lacks jurisdiction because the Notice of Contest was not timely served, the Notice of Contest does not demonstrate that Contestants were eligible to assert this contest, and the allegations in the Notice of Contest do not indicate that any irregularities in the election process altered the outcome of the election for Minnesota's fourth congressional district.

The motion is based upon all the files, records, and proceedings herein, and upon a memorandum of law, supporting declaration, supporting affidavits and exhibits to be filed in accordance with the Minnesota General Rules of Practice.

Dated: December 8, 2020

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**Pro hac vice motion pending*

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