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DISTRICT COURT  
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Alora Thomas-Lundborg\*  
Ihaab Syed\*  
Theresa J. Lee\*  
Dale E. Ho\*  
AMERICAN CIVIL LIBERTIES UNION  
125 Broad Street  
New York, NY 10004  
(212) 519-7866  
(646) 885-8381  
(212) 549-2693  
athomas@aclu.org  
isyed@aclu.org  
tlee@aclu.org  
dale.ho@aclu.org

Alex Rate (MT Bar No. 11226)  
Akilah Lane  
ACLU OF MONTANA  
P.O. Box 1968  
Missoula, MT 59806  
406-224-1447  
ratea@aclumontana.org  
alanc@aclumontana.org

Attorneys for Plaintiffs

Jacqueline De León\*  
Matthew Campbell\*  
NATIVE AMERICAN RIGHTS FUND  
1506 Broadway  
Boulder, CO 80302-6296 BY  
(303) 447-8760  
jdeleon@narf.org  
mcampbell@narf.org

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Samantha Kelty\*  
NATIVE AMERICAN RIGHTS FUND  
1514 P Street N.W. (Rear) Suite D  
Washington, D.C. 20005  
(202) 785-4166  
kelty@narf.org

*\*Pro Hac Vice forthcoming*

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
COUNTY OF YELLOWSTONE

WESTERN NATIVE VOICE, Montana )  
Native Vote, Blackfeet Nation, Confederated )  
Salish and Kootenai Tribes, Fort Belknap )  
Indian Community, and Northern Cheyenne )  
Tribe, )

Plaintiffs, )

vs. )

CHRISTI JACOBSEN, in her official )  
capacity as Montana Secretary of State, )

Defendant. )

Cause No. DV 21-0560

Hon. Ashley Harada

**PLAINTIFFS' MOTION FOR  
CONSOLIDATION**

COME NOW, the Plaintiffs, by and through counsel of record, and hereby file and serve their Motion for Consolidation. Plaintiffs in the instant action seek consolidation with the pending case of *Montana Democratic Party et al. v. Jacobsen*, Cause No. DV 21-0451 (Thirteenth Judicial District Court, Hon. Michael Moses) (hereinafter "*MDP*"). Pursuant to Rule 1(h) of the Thirteenth Judicial District local rules, this motion is being filed concurrently in Cause No. DV 21-0451 and Cause No. DV 21-0560.<sup>1</sup> Counsel for Plaintiffs in *MDP* have been contacted and do not object to this Motion. Counsel for Defendant in *MDP* have been contacted and object to this Motion as premature.

This Motion is supported by the concurrently-filed brief. A proposed order is attached.

DATED THIS 24<sup>th</sup> day of June, 2021.



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Alex Rate (MT Bar No. 11226)  
Akilah Lane  
ACLU OF MONTANA  
P.O. Box 1968  
Missoula, MT 59806  
406-224-1447  
ratea@aclumontana.org  
alane@aclumontana.org

Alora Thomas-Lundborg\*  
Theresa J. Lee\*  
Ihaab Syed\*  
Dale E. Ho\*  
AMERICAN CIVIL LIBERTIES UNION  
125 Broad Street  
New York, NY 10004  
(212) 519-7866  
(646) 885-8381

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<sup>1</sup> The motion "will be heard before the judge presiding in the lowest cause number and, if the cases are consolidated, the trial will also be conducted in that department. The judges may consult with each other regarding any decision on a motion to consolidate." Rule 1(h), Thirteenth Judicial District Local Rules.

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(212)549-2693  
athomas@aclu.org  
tlee@aclu.org  
isyed@aclu.org  
dale.ho@aclu.org

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Matthew Campbell\*  
NATIVE AMERICAN RIGHTS FUND  
1506 Broadway  
Boulder, CO 80302-6296  
(303) 447-8760  
jdeleon@narf.org

Samantha Kelty\*  
NATIVE AMERICAN RIGHTS FUND  
1514 P Street N.W. (Rear) Suite D  
Washington, D.C. 20005  
(202) 785-4166  
kelty@narf.org

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I, Alex Rate, hereby certify on this date I emailed a true and accurate copy of the foregoing document to:

David M.S. Dewhirst  
*Solicitor General*  
Office of the attorney General, State of Montana  
215 North Sanders  
P.O. Box 201401  
Helena, MT 59620-1401

Austin Marcus James  
*Chief Legal Counsel*  
Office of the Secretary of State, State of Montana

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Montana Capitol Building, Room 260  
P.O. Box 202801  
Helena, MT 59620-2801

Dale Schowengerdt  
David F. Knobel  
CROWLEY FLECK, PLLP  
900 North Last Chance Gulch, Suite 200  
Helena, MT 59601  
P.O. Box 797  
Helena, MT 59624-0797

DATED: June 24, 2021

Alex Rate  
Alex Rate

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## Robyn Schierholt

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**From:** Krystal Pickens <krystelp@aclumontana.org>  
**Sent:** Thursday, June 24, 2021 7:49 AM  
**To:** DC\_CaseFilingsShared  
**Cc:** Alex Rate  
**Subject:** DV-56-2021-0000560-DK - Western Native Voice vs. Jacobsen, Christi As Secretary Of State Of MT; Motion for Consolidation  
**Attachments:** 2021-06-24 Motion for Consolidation (Harada).pdf; 2021-06-24 WNV v. Jacobsen - Proposed Order (Harada).docx; 2021-06-24 WNV v. Jacobsen - Proposed Order (Harada).pdf; 2021-06-24 WNV. Jacobsen BIS of Motion.pdf

Dear Clerk of District Court:

Attached for filing, please find the Plaintiffs' motion for consolidation, brief in support, and a proposed order (word and pdf formats). Please note that I am filing similar documents in the parallel case (Cause No. DV 21-0451 - Montana Democratic Party and Mitch Bohn) momentarily. If possible, please send the invoice(s) to me and I'll pay the filing fees promptly. If you have any questions, you may reach me at 406.396.8222.

Lastly, I did mail a notice of filing, the original return of service/proof of service, and the original summons yesterday. Thank you for your assistance!

Best,  
Krystal

**Krystal Pickens | Paralegal**

(pronouns: she/her)

**American Civil Liberties Union of Montana**

PO Box 1968, Missoula, MT 59806

Office 406.204.0287 | [krystelp@aclumontana.org](mailto:krystelp@aclumontana.org)

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