

**IN THE THIRD JUDICIAL DISTRICT  
DISTRICT COURT, SHAWNEE COUNTY, KANSAS  
CIVIL DEPARTMENT**

LEAGUE OF WOMEN VOTERS OF  
KANSAS, LOUD LIGHT, KANSAS  
APPLESEED CENTER FOR LAW AND  
JUSTICE, INC., and TOPEKA INDEPENDENT  
LIVING RESOURCE CENTER,

*Plaintiffs,*

vs.

Case No. 2021-CV-000299

SCOTT SCHWAB, in his official capacity as  
Kansas Secretary of State, and DEREK  
SCHMIDT, in his official capacity as Kansas  
Attorney General,

*Defendants,*

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' PETITION FOR (i) LACK OF  
SUBJECT MATTER JURISDICTION AND (ii) FAILURE TO STATE A CLAIM**

Defendants Scott Schwab and Derek Schmidt, each sued in their official capacities and acting by and through their undersigned counsel, respectfully move to dismiss the Plaintiffs' Petition for: (i) lack of subject matter jurisdiction pursuant to Kan. Stat. Ann. § 60-212(b)(1); and (ii) failure to state a claim upon which relief can be granted pursuant to Kan. Stat. Ann. § 60-212(b)(6). Defendants have concurrently filed a Memorandum in Support.

Respectfully Submitted,

By: /s/ Bradley J. Schlozman

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of July, 2021, a true and correct copy of the above and foregoing was electronically filed with the Clerk of the District Court by using the eFlex filing system, which will transmit a copy to all counsel of record and was e-mailed to:

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