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FILED

AUG 18 2021

ANGIE SPARKS, Clerk of District Court
By  Deputy Clerk

**IN THE MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY**

<p>FORWARD MONTANA; LEO GALLAGHER; MONTANA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS; GARY ZADICK,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>THE STATE OF MONTANA, by and through GREG GIANFORTE, Governor,</p> <p style="text-align: center;">Defendant.</p>	<p>Cause No. <u>BDV-2021-611</u></p> <p style="text-align: center;">MOTION FOR SUMMARY JUDGMENT (CORRECTED)</p>
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Plaintiffs Forward Montana, Leo Gallagher, Montana Association of Criminal Defense Lawyers, and Gary Zadick, pursuant to Mont. R. Civ. P. 56, move for summary judgment on Counts One (Violation of the Single Subject Rule) and Two (Change of Original Purpose) of their Verified Amended Complaint. Plaintiffs request that the Court enter a declaratory

judgment that Senate Bill 319 (“SB319”) violates Article V, Section 11, Subsections (1) and (3) of the Montana Constitution.

This motion is supported by Plaintiffs’ Brief in Support of Motion for Summary Judgment, filed concurrently. Plaintiffs request a hearing on this motion, which is timely under Rule 56(c)(1)(A). Counsel for Plaintiffs contacted opposing counsel, who confirmed that Defendant opposes this motion.

Respectfully submitted this 18th day of August, 2021.

/s/ Raphael Graybill
Raphael J.C. Graybill
Graybill Law Firm, PC

/s/ Rylee Sommers-Flanagan
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the above was duly served upon the following on the 19th day of August, 2021, by email.

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/s/ Raphael Graybill
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