

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAN MCCONCHIE, <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 1:21-CV-3091
)	
v.)	Circuit Judge Michael B. Brennan
)	Chief District Judge Jon E. DeGuilio
IAN K. LINNABARY, <i>et al.</i> ,)	District Judge Robert M. Dow, Jr.
)	
Defendants.)	Three-Judge Court
)	Pursuant to 28 U.S.C. § 2284(a)
)	

**DEFENDANT MEMBERS OF THE ILLINOIS STATE BOARD OF ELECTIONS’
MOTION TO WITHDRAW THEIR MOTION TO DISMISS
PLAINTIFFS’ SECOND AMENDED COMPLAINT**

Defendants, Ian K. Linnabary, William M. McCuffage, William J. Cadigan, Laura K. Donahue, Cassandra B. Watson, Rick S. Terven, Sr., and Katherine S. McCrory (collectively the “Board Members”), in their official capacities as members of the Illinois State Board of Elections, by their attorney, Kwame Raoul, Attorney General of Illinois move to withdraw their motion to dismiss Plaintiffs’ second amended complaint and state:

1. Plaintiffs filed their second amended complaint on October 1, 2021 (ECF No. 116) and the Board Members filed their motion to dismiss on October 15, 2021 (ECF Nos. 126-127).
2. On October 19, 2021, the Court denied the Board Members’ motion to dismiss Plaintiffs’ first amended complaint. ECF No. 131.
3. The Court further indicated that it will not require formal dispositive motion practice on the second amended complaint. *Id.*
4. In light of this ruling, the Board Members move to withdraw their pending motion to dismiss Plaintiffs’ second amended complaint (ECF Nos. 126-127).

WHEREFORE, the Board Members request that their motion to withdraw their motion to dismiss Plaintiffs' second amended complaint be granted and their answer to the second amended complaint be stayed as previously ordered (ECF No. 138).

October 29, 2021

Respectfully submitted,

KWAME RAOUL
Attorney General of Illinois

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