

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

MICHAEL J. BOST, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	Case No. 22-CV-2754
v.	)	
	)	Judge John F. Kness
ILLINOIS STATE BOARD OF	)	
ELECTIONS and BERNADETTE	)	
MATTHEWS, in her capacity as the	)	
Executive Director of the Illinois State	)	
Board of Elections,	)	
	)	
Defendants.	)	

**DEFENDANTS’ MOTION TO DISMISS PLAINTIFFS’ COMPLAINT  
PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1) and 12(b)(6)**

Defendants Illinois State Board of Elections (“ISBE”) and Bernadette Matthews, in her official capacity as the Executive Director of the ISBE, by their attorney Kwame Raoul, Illinois Attorney General, and pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), hereby move to dismiss Plaintiffs’ Complaint with prejudice. In support of this Motion, Defendants state as follows:

1. Plaintiffs lack standing to assert their claims.
2. The Eleventh Amendment bars Plaintiffs’ claims against ISBE.
3. Plaintiffs do not adequately allege claims under 2 U.S.C. § 7 or 3 U.S.C. § 1.
4. Plaintiffs do not adequately allege any violation of their First Amendment right to vote or right to stand for office.
5. Defendants file a supporting memorandum of law contemporaneously herewith.

WHEREFORE, Defendants respectfully request that the Court grant their Motion to Dismiss Plaintiffs’ Complaint with prejudice.

Dated: July 12, 2022

Respectfully Submitted,

KWAME RAOUL  
Attorney General of Illinois

/s/ Amanda L. Kozar  
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