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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**PUBLIC INTEREST LEGAL
FOUNDATION, INC.,**

Plaintiff,

v.

TAHESHA WAY, in her official capacity
as Secretary of State for the State of New
Jersey,

Defendant.

Civil Case No. 3:22-cv-02865-
FLW-RLS

PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE

On November 9, 2022, the Court granted in part and denied in part Defendant's motion to dismiss (Doc. 10). (Doc. 23.) The Court ordered Defendant "to conduct a search of the State's records and produce any informal instructions (such as emails to or from county officials) and hand-written notes related to identifying, merging, and/or cancelling duplicate voter registration records within 45 days; or alternatively, respond as to why such records are exempt from production." (Doc. 23 at 1-2.)

On December 27, 2022, Assistant Secretary of State Lauren M. Zyriek Enriquez sent the email attached as Exhibit A to Plaintiff's counsel. The email indicates that Defendant has no additional records responsive to the Foundation's request or the Court's order, except for one "technical instructions" document. *See* Exhibit A.

In light of the representations made in the attached email and in other filings, Plaintiff dismisses this action without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

Dated: February 1, 2023.

For the Plaintiff Public Interest Legal Foundation:

/s/ Linda A. Kerns
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CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2023, I electronically filed the foregoing using the Court's ECF system, which will serve notice on all parties.

/s/ Linda A. Kerns
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Attorney for Plaintiff

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