

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VOTER REFERENCE
FOUNDATION, LLC,

Plaintiff,

v.

ALBERT SCHMIDT, in his official
capacity as Secretary of the
Commonwealth,

Defendant.

No. 1:24-cv-294

Judge Christopher C. Conner

MOTION TO DISMISS

Defendant Al Schmidt respectfully moves to dismiss this case pursuant to Federal Rule of Civil Procedure 12(b)(6), based on Plaintiff's failure to state a claim upon which relief can be granted. Pursuant to Local Rule 7.5, Defendant will file a supporting brief within 14 days of the date of this motion.

March 14, 2024

Respectfully submitted,

/s/ Erich T. Greiner

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Counsel for Defendant Al Schmidt

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CERTIFICATE OF NON-CONCURRENCE

Pursuant to Local Rule 7.1, I certify that I sought concurrence from counsel for plaintiff in the above motion. Plaintiff does not concur in this motion.

Dated: March 14, 2024

/s Michael J. Fischer

Michael J. Fischer

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