

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

NEW HAMPSHIRE YOUTH MOVEMENT,

Plaintiff,

v.

DAVID M. SCANLAN, in his official capacity
as New Hampshire Secretary of State,

Defendant.

Case No. 1:24-cv-00291-SE-TSM

**DEFENDANT SECRETARY OF STATE SCANLAN'S
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

NOW COMES Defendant David M. Scanlan, in his official capacity as New Hampshire Secretary of State, by and through counsel, the Office of the Attorney General, and moves to dismiss Plaintiff New Hampshire Youth Movement's First Amended Complaint (ECF No. 50), pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

WHEREFORE, for the reasons stated in Defendant's attached Memorandum of Law in Support of His Motion to Dismiss the First Amended Complaint, which is incorporated herein by reference, Secretary Scanlan respectfully request that this Honorable Court:

- A. Dismiss the First Amended Complaint with prejudice for lack of subject-matter jurisdiction;
- B. Alternatively, dismiss the First Amended Complaint with prejudice for failure to state a claim upon which the Court may grant relief; and
- C. Grant such further relief as is just and equitable.

Respectfully submitted,

DEFENDANT DAVID M. SCANLAN, in his
official capacity as New Hampshire Secretary of
State

By his attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: April 15, 2025

/s/ Michael P. DeGrandis
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on all parties of record through the Court's e-filing system.

/s/ Michael P. DeGrandis
Michael P. DeGrandis