

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM FRANCIS GALVIN, in his  
official capacity as Secretary of the  
Commonwealth of Massachusetts,

Defendant.

Case No. 1:25-cv-13816

**NEW ENGLAND STATE AREA CONFERENCE OF THE NAACP AND THE  
MASSACHUSETTS ALLIANCE FOR RETIRED AMERICANS' MOTION TO DISMISS**

Intervenor-Defendants the New England State Area Conference of the National Association for the Advancement of Colored People (“NAACP NEAC”) and the Massachusetts Alliance for Retired Americans (“the Alliance”) respectfully move to dismiss Plaintiff’s Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. For the reasons discussed in the supporting brief filed alongside this Motion, Plaintiff’s Complaint fails to state a claim upon which relief may be granted.

Consistent with Local Rule 7(1)(a)(2), Intervenor-Defendants have conferred with the existing parties over email. Counsel for the United States of America informed counsel for Intervenor Defendants that they oppose the Motion. Counsel for the Commonwealth of Massachusetts and the Common Cause Intervenors informed counsel for Intervenor-Defendants that they do not oppose the Motion.

**WHEREFORE**, Intervenor-Defendants request that the Court dismiss Plaintiff's Complaint under Federal Rule of Civil Procedure 12(b)(6).

Dated: February 6, 2026

Respectfully submitted,

/s/ David R. Fox

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 6th day of February, 2026, with a copy of this document via the Court's CM/ECF system.

*/s/ David R. Fox*  
David R. Fox (BBO #692372)

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