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Attorneys for Defendant

SCOTT NAGO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI‘I

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT NAGO, in his Official Capacity  
as Chief Election Officer for the State of  
Hawai‘i,

Defendant.

No. 1:25-cv-00522-LEK-RT

**DEFENDANT’S MOTION TO  
DISMISS; MEMORANDUM IN  
SUPPORT OF MOTION;  
CERTIFICATE OF SERVICE**

Judge: Hon. Leslie E. Kobayashi

**DEFENDANT’S MOTION TO DISMISS**

Defendant Scott Nago moves to dismiss the United States’ Complaint, ECF No. 1, pursuant to FRCP Rule 12(b)(6).

Consistent with Local Rule 7.8, counsel for Defendant discussed this motion with counsel for the United States over email between Tuesday, February 10, 2026 and Wednesday, February 11, 2026.

DATED: Honolulu, Hawai‘i, February 18, 2026.

*/s/ Thomas J. Hughes*

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