

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

COAKLEY PENDERGRASS, *et al.*,

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION

FILE NO. 1:21-CV-05339-SCJ

DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT

Defendant Brad Raffensperger, in his official capacity as Secretary of State of Georgia; and Sara Tindall Ghazal, Anh Le, Edward Lindsey,¹ and Matthew Mashburn, in their official capacities as members of the State Election Board (collectively, “Defendants”) move to dismiss Plaintiffs’ claims [Doc. 1] in their entirety pursuant to Fed. R. Civ. P. 12(b)(1) and (6). In support of this motion, Defendants rely on their Brief in Support of Defendants’ Motion to Dismiss, which is filed with this motion.

¹ On January 7, 2022, Mr. Lindsey was appointed to the State Election Board to replace Rebecca Sullivan. Because Ms. Sullivan was sued in her official capacity as a member of the State Election Board, Mr. Lindsey is automatically substituted in her place. See Fed. R. Civ. P. 25(d).

This 14th day of January, 2022.²

Respectfully submitted,

Christopher M. Carr
Attorney General
Georgia Bar No. 112505
Bryan K. Webb
Deputy Attorney General
Georgia Bar No. 743580
Russell D. Willard
Senior Assistant Attorney General
Georgia Bar No. 760280
Charlene McGowan
Assistant Attorney General
Georgia Bar No. 697316
State Law Department
40 Capitol Square, S.W.
Atlanta, Georgia 30334

/s/ Bryan P. Tyson
Bryan P. Tyson
Special Assistant Attorney General
Georgia Bar No. 515411
btyson@taylorenghish.com
Frank B. Strickland
Georgia Bar No. 678600
fstrickland@taylorenghish.com
Bryan F. Jacoutot
Georgia Bar No. 668272
bjacoutot@taylorenghish.com
Loree Anne Paradise
Georgia Bar No. 382202
lparadise@taylorenghish.com
Taylor English Duma LLP

² This Motion is being filed by 5:00 P.M. on January 14, 2022 pursuant to this Court's scheduling order for motion-to-dismiss briefing. [Doc. 33].

1600 Parkwood Circle
Suite 200
Atlanta, Georgia 30339
(678) 336-7249
Counsel for Defendants

CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT has been prepared in Century Schoolbook 13, a font and type selection approved by the Court in L.R. 5.1(B).

/s/Bryan P. Tyson
Bryan P. Tyson