

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAN MCCONCHIE, <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 1:21-CV-3091
)	
v.)	Circuit Judge Michael B. Brennan
)	Chief District Judge Jon E. DeGuilio
CHARLES W. SCHOLZ, <i>et al.</i> ,)	District Judge Robert M. Dow, Jr.
)	
Defendants.)	Three-Judge Court
)	Pursuant to 28 U.S.C. § 2284(a)
)	

**DEFENDANT MEMBERS OF THE ILLINOIS STATE BOARD OF ELECTIONS’
MOTION TO DISMISS PLAINTIFFS’ AMENDED COMPLAINT**

Defendants, Charles W. Scholz¹, Ian K. Linnabary, William M. McGuffage, William J. Cadigan, Katherine S. O’Brien, Laura K. Donahue, Cassandra B. Watson, and William R. Haine (collectively the “Board Members”), in their official capacities as members of the Illinois State Board of Elections, by their attorney, Kwame Raoul, Attorney General of Illinois, hereby move to dismiss Plaintiffs’ Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and in support thereof state as follows:

1. Plaintiffs filed their Amended Complaint on July 29, 2021, alleging that the Redistricting Map signed into law on June 4, 2021, violates the Fourteenth Amendment. ECF No. 51.
2. However, Plaintiffs lack standing to bring their claims against the Board Members.

¹ On July 1, 2021, Member Charles W. Scholz was replaced with Rick S. Terven and Member Katherine S. O’Brien was replaced with Catherine S. McCrory. Because Members Scholz and O’Brien were named in their official capacity, the new members were automatically substituted as the appropriate defendants pursuant to Federal Rule of Civil Procedure 25(d).

3. Additionally, Plaintiffs have not stated any viable claims against the Board Members.

CONCLUSION

Because Plaintiffs lack standing to sue the Board Members and have not stated any viable claims against the Board Members, these Defendants respectfully request that this Court dismiss Plaintiffs' claims against them.

August 12, 2021

Respectfully submitted,

KWAME RAOUL
Attorney General of Illinois

/s/ Mary A. Johnston
Mary A. Johnston
Office of the Illinois Attorney General
100 West Randolph Street
Chicago, Illinois 60601
(312) 814-4417
Mary.johnston@ilag.gov

*Counsel for Defendant Illinois State Board
of Elections Members*