

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PHILIP B. STARK and FREE SPEECH
FOR PEOPLE,

Plaintiffs,

v.

UNITED STATES ELECTION
ASSISTANCE COMMISSION,

Defendant.

Civil Action No. 1:21-cv-01864 (CKK)

**DEFENDANT'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR PARTIAL
SUMMARY JUDGMENT**

Defendant U.S. Election Assistance Commission (EAC) respectfully moves to dismiss the above-captioned action in its entirety pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), for lack of subject matter jurisdiction and/or failure to state a claim; in the alternative, the EAC respectfully requests the partial entry of summary judgment in its favor.

The reasons supporting this motion are set forth in the concurrently filed memorandum, and supporting declaration and attachments. A proposed order is also attached for the convenience of the Court.

Dated: September 30, 2021

Respectfully submitted,

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