

COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY

ROBERT HERRMANN, ET AL.)
)
)
 Plaintiffs,)
)
 v.) Civil Action No.
) SJ-2022-409
)
 ATTORNEY GENERAL AND SECRETARY OF STATE)
 OF THE COMMONWEALTH OF MASSACHUSETTS,)
)
 Defendants.)

DAVID C. BAXTER, ET AL.)
)
)
 Plaintiffs,)
)
 v.) Civil Action No.
) SJ-2022-410
)
 ATTORNEY GENERAL AND SECRETARY OF STATE)
 OF THE COMMONWEALTH OF MASSACHUSETTS,)
)
 Defendants.)

**PLAINTIFFS' OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS AND
CROSS-MOTION FOR RESERVATION AND REPORT**

For the reasons stated herein and in the Memorandum of Law filed in support hereof, Plaintiffs oppose the Defendants' Motion to Dismiss their Complaints (D.E. 3), and cross-move this Court to reserve and report the two issues presented by these cases to the Supreme Judicial Court after directing the parties to file, and the parties file, a Statement of Agreed Facts.

WHEREFORE, Plaintiffs respectfully request that the Court enter an Order:

1. Directing the parties to file, within seven days after entry of such Order:

A. a Statement of Agreed Facts; and

B. a proposed form of Reservation and Report for this Court to

reserve and report to the Supreme Judicial Court the following issues:

i. Whether Plaintiffs are required to deliver to the Secretary of the Commonwealth the “remainder of the signatures,” as that phrase is used in art. 48, any earlier than the first Wednesday of December 2023; and

ii. Whether the Attorney General erred by refusing to certify, as compliant with art. 48 of the Massachusetts Constitution, their initiative petition 22-01 entitled “Initiative Petition for a Law Relative to Limiting Political Contributions to Independent Expenditure PACs.”

or, in the alternative,

2. Denying the Defendants’ Motion to Dismiss.

Date: November 30, 2022

Respectfully Submitted,

/s/ Courtney Hostetler

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