

STATE OF MICHIGAN
COURT OF CLAIMS

ROBERT LaBRANT, ANDREW BRADWAY,
NORAH MURPHY and WILLIAM NOWLING,

Plaintiffs,

No. 23-000137-MZ

v

HON. JAMES ROBERT REDFORD

JOCELYN BENSON, in her official capacity as
Secretary of State,

Defendant.

_____/

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_____/

**DEFENDANT SECRETARY OF STATE JOCELYN BENSON'S
ANSWER TO VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT AND
PERMANENT INJUNCTION**

Defendant Secretary of State Jocelyn Benson, by her attorneys, answers Plaintiffs'

Complaint for Declaratory Judgment and Permanent Injunction as follows:

INTRODUCTION

1. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

2. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

3. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

4. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

5. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

6. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

7. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

8. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response. Further answering, the public acts of Congress speak for themselves.

9. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

10. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

11. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

12. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

13. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

14. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

15. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

16. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

17. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

18. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

19. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

20. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

21. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

22. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

23. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

24. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

25. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

JURISDICTION

26. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response. Further answering, the Defendant does not dispute this Court's jurisdiction.

27. Defendant admits that they received a letter on or about July 12, 2023, and that she wrote an opinion editorial for the Washington Post on or about September 13, 2023. Defendant neither admits nor denies the allegations concerning the content of those documents on the grounds that the documents speak for themselves.

28. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

PARTIES

29. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant affirmatively states that the complaint does not provide sufficient information for the Secretary to confirm whether Plaintiff LaBrant is a resident and registered voter.

30. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant affirmatively states that the complaint does not provide sufficient information for the Secretary to confirm whether Plaintiff Bradway is a resident and registered voter.

31. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations

in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant affirmatively states that the complaint does not provide sufficient information for the Secretary to confirm whether Plaintiff Murphy is a resident and registered voter.

32. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant affirmatively states that the complaint does not provide sufficient information for the Secretary to confirm whether Plaintiff Nowling is a resident and registered voter.

33. Defendant admits that she is the elected Secretary of State for the State of Michigan. Defendant neither admits nor denies the allegations in the remainder of the paragraph for the reason that they are legal conclusions which require no response.

GENERAL ALLEGATIONS

I. TRUMP TOOK AN OATH TO UPHOLD THE CONSTITUTION

34. Admitted.

35. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

36. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

II. TRUMP'S SCHEME TO OVERTURN THE GOVERNMENT

A. Trump Sought Re-Election but Prepared to Retain Power Even if He Lost.

37. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

38. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

39. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

40. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

41. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs.

42. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of H.R. Rep. No 117-663 for the reason that the document speaks for itself.

43. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

44. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations asserted and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

45. Admitted.

46. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

47. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves. Further answering, Defendant affirmatively states that any claim that voter fraud compromised the validity of the election in Michigan is false. State and local election officials conducted more than 250 post-election audits of Michigan's 2020 general election, all of which demonstrated the integrity and accuracy of the election.

48. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant admits that Joseph Biden won the 2020 presidential election.

49. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

B. Trump Attempted to Enlist Government Officials to Illegally Overturn the Election.

50. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

51. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

52. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

53. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

54. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

55. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

56. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the National Archives for the reason that the documents speak for themselves.

57. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

58. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

59. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

60. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

61. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

62. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

63. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

64. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

65. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

66. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant denies that there exists a “Cross County” in Michigan for the reason that the allegation is untrue.

67. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves. Further answering, Defendant denies that there exists a “Cross County” in Michigan for the reason that the allegation is untrue.

68. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

69. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

70. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

71. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

72. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

73. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

74. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

75. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report since the documents speak for themselves.

76. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

77. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

78. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

79. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

80. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

81. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

82. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

83. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

84. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

85. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

86. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

87. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

88. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of a media interview transcript for the reason that the documents speak for themselves.

89. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

90. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

91. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

92. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

C. Trump Urged his Supporters to Amass at the Capitol.

93. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of a Supreme Court order for the reason that the order speaks for itself.

94. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

95. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations

in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

96. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

97. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

98. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

99. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

100. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

D. In response to Trump’s Call for a “Wild” Protest, Trump’s Supporters Planned Violence.

101. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

102. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

103. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

104. Defendant neither admits nor denies the allegations contained in this paragraph or its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the

Select Committee transcript and/or report or court records for the reason that the documents speak for themselves.

105. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

106. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

107. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

108. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

109. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

110. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

111. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

112. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

113. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

114. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

115. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

116. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

117. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

118. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

119. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

120. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations

in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

121. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

122. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

123. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

124. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

E. Trump and his Administration Knew of Supporters' Plans to Use Violence and/or to Forcefully Prevent Congress from Certifying the Elections Results.

125. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

126. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

127. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

128. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

129. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

130. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

131. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

132. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

133. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

III. THE JANUARY 6, 2021 INSURRECTION.

A. The Two Demonstrations.

134. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

135. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Senate Committee report or federal court opinions for the reason that the documents speak for themselves.

B. Trump's Preparations as the Demonstrations Began.

136. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

137. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

138. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

139. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

140. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

141. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

C. The Increasingly Apocalyptic Demonstration at the Ellipse.

142. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

143. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

144. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

145. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

146. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

147. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

148. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

149. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

150. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

151. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

152. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

153. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

154. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

D. Insurrectionists Prepared for Battle at the Capitol.

155. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

156. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

157. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

158. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

E. Trump Directed Supporters to March on the Capitol and Intimidate Pence and Congress.

159. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

160. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

161. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

162. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

163. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

164. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

165. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

166. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court opinions for the reason that the documents speak for themselves.

167. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

168. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

169. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

170. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

F. Trump Intended to March on the Capitol and Capitalize on the Unfolding Chaos.

171. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

172. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

173. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

174. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

175. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

176. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

G. Pro-Trump Insurrectionists Violently Attacked the Capitol.

177. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

178. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

179. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

180. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

181. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

182. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

183. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

184. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

185. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

186. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

187. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

188. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

189. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

190. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report or U.S. Senate committee reports for the reason that the documents speak for themselves.

191. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

192. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

H. The Fall of the United States Capitol

193. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

194. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

195. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

196. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

197. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

198. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

199. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

200. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

201. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

202. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

203. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

204. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

I. Trump Reveled in, and Deliberately Refused to Stop, the Insurrection.

205. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

206. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

207. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

208. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Twitter posts for the reason that they speak for themselves.

209. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph for the reason that they are legal conclusions which require no response.

210. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

211. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

212. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

213. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

214. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

215. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

216. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

217. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

218. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations

in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

219. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

220. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

221. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

222. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

223. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

224. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

225. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

226. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

227. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

228. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

229. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

230. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

231. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

232. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

233. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

234. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

235. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

236. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

237. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of U.S. Senate reports for the reason that the documents speak for themselves.

238. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of the Select Committee transcript and/or report for the reason that the documents speak for themselves.

239. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

240. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

241. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

242. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

243. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

244. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Congressional records for the reason that the documents speak for themselves.

245. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

IV. MULTIPLE JUDGES AND GOVERNMENT OFFICIALS HAVE DETERMINED THAT JANUARY 6 WAS AN INSURRECTION AND THAT TRUMP WAS RESPONSIBLE.

246. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

247. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of court records for the reason that the documents speak for themselves.

248. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

249. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Congressional records for the reason that the documents speak for themselves.

250. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

251. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Congressional records for the reason that the documents speak for themselves.

252. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations

in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of Congressional acts for the reason that they speak for themselves, and allegations concerning the effect of such acts are legal conclusions that require no response.

253. Defendant neither admits nor denies the allegations concerning the content of court orders for the reason that the documents speak for themselves, and allegations concerning the effect of such orders are legal conclusions that require no response.

254. Defendant neither admits nor denies the allegations contained in this paragraph concerning the content of court orders for the reason that the documents speak for themselves, and allegations concerning the effect of such orders are legal conclusions that require no response.

255. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

256. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

257. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

258. Defendant neither admits nor denies the allegations contained in this paragraph concerning the content of court orders for the reason that the documents speak for themselves,

and allegations concerning the effect of such orders are legal conclusions that require no response.

259. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

260. Defendant neither admits nor denies the allegations contained in this paragraph and its subparts concerning the content of court orders for the reason that the documents speak for themselves, and allegations concerning the effect of such orders are legal conclusions that require no response.

V. TRUMP ACKNOWLEDGES THAT HE WAS IN COMMAND OF INSURRECTIONISTS AND CALLS THEM PATRIOTS.

261. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

262. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

263. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

264. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

265. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

266. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

267. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

268. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

269. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

VI. TRUMP REMAINS UNREPENTANT AND WOULD DO IT AGAIN.

270. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

271. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

272. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

273. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

274. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

275. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

276. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

277. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

278. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

279. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering,

Defendant neither admits nor denies the allegations concerning the content of social media posts for the reason that they speak for themselves.

280. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs. Further answering, Defendant neither admits nor denies the allegations concerning the content of social media posts for the reason that they speak for themselves.

VII. THE CONSTITUTION DISQUALIFIES INSURRECTIONISTS FROM OFFICE.

281. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

282. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

283. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

284. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

VIII. TRUMP ENGAGED IN INSURRECTION OR REBELLION AND IS THUS DISQUALIFIED FROM PUBLIC OFFICE.

285. Defendant incorporates by reference her responses to the previous paragraphs.

286. Admitted.

287. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

288. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

289. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

290. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

291. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

292. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

293. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

294. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

295. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

296. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

297. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

298. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

299. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

300. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

301. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

302. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph and its subparts as they are legal conclusions which require no response.

303. Defendant neither admits nor denies the allegations contained in this paragraph for lack of sufficient information or knowledge to form a belief about the truth of the allegations in the form and manner alleged and thus leaves Plaintiffs to their proofs.

304. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

305. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

306. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

307. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

308. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

309. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

DEFENDANT'S ERRORS

310. Defendant admits receiving a letter from Free Speech for People on or about July 12, 2023. Defendant neither admits nor denies the allegations concerning the content of the letter because the document speaks for itself.

311. Defendant admits writing an opinion editorial for the Washington Post that was published on or about July 12, 2023. Defendant neither admits nor denies the allegations concerning the content of the editorial because the document speaks for itself.

312. Defendant admits that she has not taken any action to exclude Donald Trump from the Michigan presidential primary or the 2024 general election. Further answering, Defendant affirmatively states that MCL 168.614a provides only that the Secretary of State is required to issue a "list of the individuals generally advocated by the national news media to be potential candidates" for each major political party's nomination, and there is no statutory authority for the Secretary to exclude a presidential candidate based on their eligibility to hold the office.

313. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response. To the extent the allegations require any response, they should be taken as denied where material.

314. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response. To the extent the allegations require any response, they should be taken as denied where material.

315. In answer to paragraph 315, the Defendant affirmatively states that she intends to perform her duties as an election official according to law and to the Michigan and United States constitutions. To the extent the paragraph alleges anything contrary or additional, it is denied as untrue.

COUNT I – DECLARATORY JUDGMENT: TRUMP IS DISQUALIFIED FROM OFFICE UNDER SECTION 3 OF THE FOURTEENTH AMENDMENT

316. Defendant incorporates by reference her responses to the previous paragraphs.

317. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

318. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

319. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

COUNT II – PERMANENT INJUNCTION: THE SECRETARY SHOULD BE ENJOINED FROM PLACING TRUMP ON THE 2024 PRESIDENTIAL PRIMARY OR GENERAL ELECTION BALLOTS

320. Defendant incorporates by reference her responses to the previous paragraphs.

321. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

322. Defendant neither admits nor denies Plaintiffs' allegations in this paragraph as they are legal conclusions which require no response.

THIS IS AN URGENT ELECTION MATTER REQUIRING IMMEDIATE ACTION

323. Defendant neither admits nor denies Plaintiffs’ allegations in this paragraph as they are legal conclusions which require no response.

324. Defendant neither admits nor denies Plaintiffs’ allegations in this paragraph as they are legal conclusions which require no response.

AFFIRMATIVE DEFENSES

1. The Michigan Election Law does not empower the Secretary of State to unilaterally determine a presidential candidate ineligible for the presidential primary or general election under the circumstances alleged in this complaint.
2. Defendant reserves the right to raise defenses or assert other matters revealed by its continuing investigation and discovery, including all defenses available under MCR 2.111, 2.112, 2.113, 2.114, 2.115, and 2.116.

Respectfully submitted,

/s/Erik A. Grill

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Dated: October 16, 2023

PROOF OF SERVICE

Erik A. Grill certifies that on October 16, 2023, she served a copy of the above document in this matter on all counsel of record and parties *in pro per* via MiFILE.

/s/Erik A. Grill

Erik A. Grill