

STATE OF MICHIGAN
IN THE COURT OF CLAIMS

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

Plaintiffs,

-vs-

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

Defendant,

and

DONALD J. TRUMP,

Proposed-Intervenor.

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MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF
AND PROOF OF SERVICE

FILE NO.: 23-000137-MZ

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MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

NOW COMES Donald J. Trump (“President Trump”), by his undersigned legal counsel, bringing this Motion for Leave to File *Amicus Curiae* Brief, and in support of the motion, states the following:

1. Plaintiffs are residents and registered voters in Michigan intending to vote in the 2024 presidential primary and general elections.
2. Defendant is Jocelyn Benson, named in her official capacity as Secretary of State for her role in administering elections in the State of Michigan which includes causing the name of a presidential candidate to be printed on election ballots.
3. In their complaint, Plaintiffs seek declaratory relief that President Trump is “disqualified, by section 3 of the Fourteenth Amendment, is ineligible to appear on the presidential primary or general election ballot and has no legal right to appear on the ballot.” LaBrant Compl. at 319, 321. Plaintiffs also seeks “permanent injunctive relief preventing the Secretary [of State] from placing Trump on 2024 presidential primary or general election ballots.” LaBrant Compl. at 322.
4. President Trump filed a Motion to Intervene in this matter to uphold his constitutional right to have his name placed on the Michigan presidential primary and general election

ballots for the 2024 election. This Motion is currently pending before this Honorable Court.

5. This Honorable Court issued scheduling orders on October 9, 2023 and October 18, 2023, both indicating that President Trump was invited to file an *Amicus* Brief. In those orders, this Honorable Court specified that all *Amicus* Briefs must be filed by October 23, 2023 at 5:00 p.m.
6. Because President Trump's Motion to Intervene is still pending, he requests that he be permitted to file the attached proposed *Amicus Curiae* Brief.
7. President Trump requests this Honorable Court consider his *Amicus* Brief in the event that he is not permitted to intervene.
8. President Trump sought concurrence for his motion pursuant to Local Rule 2.119(A)(2), and both Plaintiffs and Defendant did not have any objection to President Trump's Motion.
9. Donald J. Trump hereby requests that his Motion for Leave to File *Amicus Curiae* Brief be granted for all the reasons as stated in the attached Brief of *Amicus Curiae* which are incorporated herein in full.

WHEREFORE, President Trump respectfully requests that this Honorable Court grant his Motion for Leave to File *Amicus Curiae* Brief, and grant all other relief as the Court deems just and appropriate.

Respectfully submitted,

KALLMAN LEGAL GROUP, PLLC

DATED: October 23, 2023.

/s/ David A. Kallman
David A. Kallman (P34200)
Attorney for Donald J. Trump

DATED: October 23, 2023.

/s/ Stephen P. Kallman
Stephen P. Kallman (P75622)
Attorney for Donald J. Trump

DHILLON LAW GROUP, INC.

DATED: October 23, 2023.

/s/ Michael Columbo
Michael Columbo
Attorney for Donald J. Trump

DATED: October 23, 2023.

/s/ Mark P. Meuser
Mark P. Meuser
Attorney for Donald J. Trump

DATED: October 23, 2023.

/s/ Zachary Kramer
Zachary Kramer
Attorney for Donald J. Trump

PROOF OF SERVICE

David A. Kallman, hereby states and affirms that on the 23rd day of October, 2023, he did serve a copy of President Trump’s Motion for Leave to File *Amicus Curiae* Brief, with proposed *Amicus Curiae* Brief, upon Plaintiffs and Defendant’s counsel listed above via MiFile.

DATED: October 23, 2023.

/s/ David A. Kallman
David A. Kallman (P34200)