

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Civil Other/Misc.

Julie Quist, Thain Dikkers, and Lisa Kaiser,

Court File No.: 62-CV-20-5598

Contestants,

v.

Steve Simon, only in his official capacity as
the Minnesota Secretary of State, and Tina
Smith, Senate candidate,

Contestees.

CONTESTEE TINA SMITH'S NOTICE OF MOTION AND MOTION TO DISMISS

TO: Contestants Julie Quist, Thain Dikkers, and Lisa Kaiser

NOTICE OF MOTION

PLEASE TAKE NOTICE that on a date and time determined by the Court, Contestee Tina Smith will move the Court for entry of an order as set forth below.

MOTION

Pursuant to Minnesota Rule of Civil Procedure 12.02, Contestee Tina Smith respectfully moves the Court for an order dismissing the Notice of Contest. The Court lacks jurisdiction because Contestants failed to properly serve Contestee Smith and because the allegations in the Notice of Contest do not indicate that any irregularities in the election process altered the outcome of Minnesota's U.S. Senate election.

The motion is based upon all the files, records, and proceedings herein, and upon a memorandum of law, supporting declaration, supporting affidavits and exhibits to be filed in accordance with the Minnesota General Rules of Practice.

Dated: December 8, 2020

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**Pro hac vice motion pending*

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