

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

CASE NO: 1:22-CV-00031-CRH

Charles Walen, an individual; and Paul)
Henderson, an individual.)

Plaintiffs,)

vs.)

**PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

DOUG BURGUM, in his official capacity)
as Governor of the State of North)
Dakota; MICHAEL HOWE in his official)
Capacity as Secretary of State of the)
State of North Dakota,)

Defendants.)

Plaintiffs' Charles Walen and Paul Henderson (Plaintiffs) submit this Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and D.N.D. Civ. L. R. 7.1. Plaintiffs' Motion asserts the challenged Subdistricts are racial gerrymanders which are not narrowly tailored to achieve a compelling government interest in violation of the Equal Protection Clause of the Fourteenth Amendment. This Motion is made in accordance with Fed.R.Civ.P. 1, to secure "the just, speedy, and inexpensive determination" of this action. This Motion is supported by the attached Memorandum, exhibits, and all documents on file with this Court.

Plaintiffs respectfully request the Court grant their Motion for Summary Judgment.

Respectfully submitted this 28th day of February, 2023.

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