

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Civil No: 1:22-CV-00031

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

Plaintiffs

vs.

Doug Burgum, in his official capacity as
Governor of the State of North Dakota;
Michael Howe, in his official capacity as
Secretary of the State of North Dakota,

Defendants

**DEFENDANTS DOUG BURGUM AND
MICHAEL HOWE’S MOTION FOR
SUMMARY JUDGMENT**

and

The Mandan, Hidatsa and Arikara Nation;
Lisa DeVille, an individual; and
Cesareo Alvarez, Jr., an individual.

Defendants-Intervenors

(1.) Pursuant to Rule 56 of the Federal Rules of Civil Procedure and D.N.D. Civ. L.R. 7.1(A), Defendants Doug Burgum, in his official capacity as Governor of the State of North Dakota and Michael Howe, in his official capacity as Secretary of State of North Dakota request summary judgment dismissal with prejudice of all of Plaintiffs’ claims against them.

(2.) This motion is supported by the memorandum of law and affidavit filed in support hereof, and all materials contained on the Court’s docket.

Dated this 28th day of February, 2023.

By: /s/ Bradley N. Wiederholt
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Attorney for Defendants 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 North Dakota

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **DEFENDANTS DOUG BURGUM AND MICHAEL HOWE'S MOTION FOR SUMMARY JUDGMENT** was on the 28th day of February, 2023, filed electronically with the Clerk of Court through ECF:

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