

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM C. TOTH, JR., et al.,  
*Plaintiffs,*

v.

LEIGH M. CHAPMAN, in her official capacity as Acting Secretary of the Commonwealth; JESSICA MATHIS, in her official capacity as Director for the Pennsylvania Bureau of Election Services and Notaries; and TOM WOLF, in his official capacity as Governor of Pennsylvania,

*Defendants.*

No. 1:22 Civ. 208  
(Jordan, Shwartz, Wilson, JJ.)

Electronically Filed

**DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED  
COMPLAINT PURSUANT TO FEDERAL RULES OF CIVIL  
PROCEDURE 12(b)(1) AND 12(b)(6)**

Defendants respectfully move this Court to dismiss the Second Amended Complaint in its entirety. In accordance with Local Rule 7.5, Defendants will submit a brief in support of this motion within 14 days, or at such time as the Court may direct at the scheduling conference that will be convened on March 17, 2022.

Plaintiffs oppose this motion.

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## CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of March 2022, a true and correct copy of the foregoing was served upon all counsel of record via the court's CM/ECF electronic filing system.

Dated: March 14, 2022

/s/ Joshua Matz

Joshua Matz

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**ORDER**

Upon consideration of Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint and the Memorandum of Law in support thereof, it is hereby ORDERED that the Motion is GRANTED and Plaintiffs' Second Amended Complaint is DISMISSED in its entirety.

**BY THE COURT:**

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Kent A. Jordan  
United States Circuit Judge