

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

EILEEN JANIS and KIM COLHOFF,

Plaintiffs,

v.

CHRIS NELSON, In his official
capacity as Secretary of State of South
Dakota, and as a Member of the State
Board of Elections;

MATT McCaULLEY, CINDY SCHULTZ,
CHRISTOPHER W. MADSEN,
RICHARD CASEY, KAREN M.
LAYHER, and LINDA LEA M. VIKEN,
in their official capacities as Members
of the State Board of Elections; SUE
GANJE, in her official capacity as
Auditor for Shannon County; and
LA FAWN CONROY, in her individual
and official capacity as a Poll Worker
for Shannon County,

Defendants.

Civ. 09-5019

STATE DEFENDANTS NELSON,
McCAULLEY, SHULTZ, MADSEN,
CASEY, LAYHER, AND VIKEN'S
JOINDER OF MOTION TO DISMISS
PLAINTIFFS' FOURTEENTH
AMENDMENT CLAIMS

[Fed.R.Civ.P.12(c)]

Defendants Nelson, McCaulley, Shultz, Madsen, Casey, Layher, and Viken, hereinafter "State Defendants," by and through their counsel of record Richard M. Williams, Assistant Attorney General, hereby join Defendants Ganje and Conroy's Motion to Dismiss Plaintiffs' Fourteenth Amendment Claims (Document 114), pursuant to Fed.R.Civ.P. 12(c), and the arguments and authorities found in the Memorandum in Support of Defendants Ganje and Conroy's Motion to Dismiss Plaintiffs' Fourteenth Amendment Claims (Document 115) for Judgment on the Pleadings with Regard to Plaintiffs' Fourteenth Amendment Claims (Counts 1 and 2) of Plaintiffs' First Amended

Complaint for Declaratory Relief, Injunctive Relief, and Monetary Damages
(Document 81).

Dated: January 26, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2010, a true and correct copy of State Defendants Nelson, McCaulley, Shultz, Madsen, Casey, Layher, and Viken's Joinder of Motion to Dismiss Plaintiffs' Fourteenth Amendment Claims was served electronically through the CM/ECF system upon the following persons:

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