

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

DUANE MALETSKI, SHARON LOPEZ,
FRANCES M. ZICK, and all others similarly situated,
OBAMA FOR AMERICA, and
DEMOCRATIC NATIONAL COMMITTEE,

Plaintiffs,

v.

MACOMB COUNTY REPUBLICAN PARTY,
MICHIGAN REPUBLICAN PARTY,
REPUBLICAN NATIONAL COMMITTEE, and
JOHN DOES #1-100,

Defendants.

Case No. 2:08-CV-13982

Honorable David M. Lawson
District Judge

Honorable Mona K. Majzoub
Magistrate Judge

**DEFENDANT MICHIGAN REPUBLICAN PARTY'S
MOTION TO EXPEDITE CONSIDERATION OF ITS MOTION TO DISMISS**

Defendant Michigan Republican Party requests expedited consideration of its motion to dismiss. In support of this request, the Michigan Republican Party states:

1. The motion to dismiss asserts that the claims for declaratory and injunctive relief are not ripe, and therefore, this Court lacks subject matter jurisdiction. A challenge to subject matter jurisdiction should be resolved at the threshold before any further motions are considered.

Moir v. Greater Cleveland Regional Transit Authority, 895 F.2d 266, 269 (6th Cir. 1990).

2. The motion to dismiss also asserts that the complaint fails to state a claim for relief against the Michigan Republican Party. Consideration of the motion before deciding plaintiffs' motion for preliminary injunction would be appropriate.

3. Expedited consideration is also appropriate because the issues raised in the complaint, motions to dismiss, and motion for preliminary injunction relate to the general election scheduled for November 4, 2008.

4. Plaintiffs and Defendant Republican National Committee has each requested expedited consideration of their motions.

5. This Court has issued an order requiring responses to plaintiffs' motion for preliminary injunction by October 10, replies by October 15, and a hearing on October 20.

[R.15] The Michigan Republican Party suggest that a similar briefing and hearing schedule would be appropriate for its motion to dismiss.

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October 1, 2008

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**BRIEF IN SUPPORT OF DEFENDANT MICHIGAN REPUBLICAN PARTY'S
MOTION TO EXPEDITE CONSIDERATION**

Defendant Michigan Republican Party will rely on the reasons stated in the motion.

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October 1, 2008

CERTIFICATE OF SERVICE

I certify that on October 1, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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I certify that I have mailed by United States Postal Service the paper to the following non-ECF participants:

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