

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RIGHT TO LIFE OF MICHIGAN; AMERICAN ASSOCIATION OF PRO-LIFE OBSTETRICIANS AND GYNECOLOGISTS, on behalf of itself, its members, and their patients; GINA JOHNSEN, Representative, Michigan House of Representatives; LUKE MEERMAN, Representative, Michigan House of Representatives; JOSEPH BELLINO, JR., Senator, Michigan Senate; MELISSA HALVORSON, M.D.; CHRISTIAN MEDICAL AND DENTAL ASSOCIATIONS, on behalf of itself, its members, and their patients; CROSSROADS CARE CENTER; CELINA ASBERG; GRACE FISHER; JANE ROE, a fictitious name on behalf of preborn babies; ANDREA SMITH; JOHN HUBBARD; LARA HUBBARD; SAVE THE 1, on behalf of itself and its members; and REBECCA KIESSLING,

Plaintiffs,

v

GRETCHEN WHITMER, in her official capacity as Governor of the State of Michigan; DANA NESSEL, in her official capacity as Attorney General of the State of Michigan; and JOCELYN BENSON, in her official capacity as Secretary of State of the State of Michigan,

Defendants.

No. 1:23-cv-01189

HON. PAUL L. MALONEY

MAG. RAY KENT

**DEFENDANTS' MOTION TO
DISMISS PLAINTIFFS'
AMENDED COMPLAINT**

**ORAL ARGUMENT
REQUESTED**

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**DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' AMENDED COMPLAINT**

Defendants Governor Gretchen Whitmer, Attorney General Dana Nessel, and Secretary of State Jocelyn Benson, through counsel, bring this motion under Fed. R. Civ. P. 12(b)(1) and (6), and ask this Court to enter an order dismissing Plaintiffs' amended complaint for the reasons set forth in the accompanying brief.

Defendants' counsel discussed the filing of this motion with Plaintiffs' counsel on March 18, 2024, and Plaintiffs' counsel indicated that the motion will be opposed.

Respectfully submitted,

/s/ Kyla Barranco
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