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 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 10 SOUTHERN DIVISION

11
 12 **KEITH JUDD, et al.**

13 Plaintiffs,

14 v.

15
 16 **BARAK OBAMA, et al.**

17 Defendants.

Case No. SACV 12-CV-01507 DOC

**NOTICE OF MOTION AND
 MOTION TO DISMISS GEORGIA
 SECRETARY OF STATE BRIAN
 KEMP**

Date: November 12, 2012
 Time: 8:30 a.m.
 Courtroom: 9D
 Judge: The Honorable C. David
 O. Carter

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 19 Pursuant to Fed. R. Civ. P. 12(b)(2), Brian Kemp (“Secretary Kemp”),
 20 Secretary of State of the State of Georgia, by and through counsel, gives notice of
 21 and files this Motion to Dismiss of Georgia Secretary of State Brian Kemp based on
 22 and files this Motion to Dismiss of Georgia Secretary of State Brian Kemp based on
 23 lack of personal jurisdiction. As shown in the accompanying Memorandum of Law
 24 in Support of Motion to Dismiss of Georgia Secretary of State Brian Kemp,
 25 incorporated by reference herein, Secretary Kemp does not have minimum contacts
 26 with the State of California, and, accordingly, this lawsuit must be dismissed as
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 28

1 against Secretary Kemp for lack of personal jurisdiction.

2 This motion is made following the conference of counsel, via telephone,
3 pursuant to L.R. 7-3 which took place on October 5, 2012. After a discussion in
4 good faith, no resolution was agreed upon.
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6 Further, while Secretary Kemp has requested the hearing date of November
7 12, 2012, pursuant to L.R. 7-4, he nonetheless submits that this Court is able to
8 adjudge this motion on the briefs without an evidentiary hearing. Further, Secretary
9 Kemp requests a waiver of oral argument on this motion pursuant to L.R. 7-15.
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11 Respectfully submitted this 9th day of October, 2012 by:
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13 /s/ Richard Rojo
14 Richard Rojo
15 California Bar No. 250277
16 Deputy Attorney General
17 California Department of Justice
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19 Counsel for Defendant Brian Kemp
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CERTIFICATE OF SERVICE

This is to certify that on this day I served the foregoing documents using the CM/ECF filing system at the Central District of California which generates a Notice of Electronic Filing to all parties and constitutes service of electronically filed documents for the purposes of the Federal Rules of Civil Procedure.

Respectfully submitted this 9th day of October, 2012 by:

/s/ Richard Rojo
Richard Rojo
California Bar No. 250277
Deputy Attorney General
California Department of Justice

Counsel for Defendant Brian Kemp