

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

<hr/>)	
ROBERT C. MCCHESENEY, in his official)	
capacity as Treasurer of Bart McLeay for)	
U.S. Senate, Inc., <i>et al.</i> ,)	
)	
	Plaintiffs,)	
)	
v.)	No. 8:16-cv-168-LSC-FG3
)	
MATTHEW S. PETERSON [sic], in his)	
official capacity as Chair of the Federal)	
Election Commission, <i>et al.</i> ,)	MOTION TO DISMISS
)	
)	
	Defendants.)	
<hr/>)	

MOTION TO DISMISS THE COMPLAINT FILED BY DEFENDANTS MATTHEW S. PETERSEN AND THE FEDERAL ELECTION COMMISSION

Defendant Matthew S. Petersen, in his official capacity as Chair of the Federal Election Commission, and defendant Federal Election Commission, through their undersigned counsel, move to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim. In support of this motion, defendants Petersen and the Commission rely upon the accompanying memorandum of points and authorities, including the exhibits attached thereto.

Respectfully submitted,

Daniel A. Petalas
Acting General Counsel

Lisa J. Stevenson
Deputy General Counsel

Kevin Deeley
Acting Associate General Counsel

Erin Chlopak
Acting Assistant General Counsel

/s/ Robert W. Bonham III
Robert W. Bonham III
Senior Attorney

June 20, 2016

FOR DEFENDANTS
MATTHEW S. PETERSEN AND
FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463
(202) 694-1650

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sends notification of such filing to the following CM/ECF participant in this case:

L. Steven Grasz, Esq., Husch Blackwell, LLP, 13330 California Street, Suite 200, Omaha, NE 68154 (attorney for plaintiffs Robert C. McChesney, in his official capacity as Treasurer of Bart McLeay for U.S. Senate, Inc., and Bart McLeay for U.S. Senate, Inc.).

I also hereby certify that a copy of the same has been served by regular mail, postage prepaid, to the following non-CM/ECF participants: None.

/s/ Robert W. Bonham III
Robert W. Bonham III
Senior Attorney