

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

PROJECT VOTE, et al.,	:	Case No. 1:08CV02266
Plaintiffs,	:	Judge James S. Gwin
vs.	:	
MADISON COUNTY BOARD OF ELECTIONS, et al.,	:	
Defendants.	:	

**MOTION OF DEFENDANT MADISON COUNTY BOARD OF ELECTIONS TO
DISMISS, OR IN THE ALTERNATIVE, TRANSFER VENUE**

Defendant Madison County Board of Elections respectfully moves this Court pursuant to Fed.R.Civ.P. 12(b)(1) and (3) for an Order dismissing Plaintiffs' Complaint, or in the alternative, pursuant to 28 U.S.C. § 1406, for an Order transferring Plaintiffs' Complaint to the United States District Court for the Southern District of Ohio, Eastern Division. The reasons for this Motion are set forth more fully in the memorandum submitted herewith.

Respectfully submitted,

/s/ Donald C. Brey

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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2008, a copy of the foregoing *Motion of Defendant Madison County Board of Elections to Dismiss, or in the Alternative, Transfer Venue* was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

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