

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
23 CVS 18892-910

MIKE URBEN, *et al.*

*Plaintiffs,*

v.

THE NORTH CAROLINA REPUBLICAN  
PARTY

*Defendant.*

**DEFENDANT'S MOTION TO DISMISS**

N.C. R. Civ. P. 12(b)(1) & 12(b)(6)

NOW COMES Defendant, The North Carolina Republican Party, by and through the undersigned counsel, and without waiving any motions or defenses not set out herein, respectfully moves this Court to dismiss Plaintiffs' Complaint in the above-captioned matter pursuant to Rules 12(b)(1) and 12(b)(6) of the North Carolina Rules of Civil Procedure. Plaintiffs' Complaint should be dismissed in its entirety because Plaintiffs lack standing to bring this action. Additionally, Plaintiffs' Complaint should be dismissed for failure to state a claim upon which relief can be granted, as Plaintiffs' Complaint, on its face, fails to establish the necessary elements for any plausible claims as alleged.

This, the 16 day of August, 2023.

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## CERTIFICATE OF SERVICE

It is hereby certified that the foregoing document was served upon the parties by electronic filing and by mailing a copy through the United States Mail, first class, postage prepaid to the address and individuals listed below.

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This the 16 day of August, 2023.

### NELSON MULLINS RILEY & SCARBOROUGH LLP

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