

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

Paul Goldman,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:21-CV-420
)	
Ralph Northam, et al.,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS

Defendants move to dismiss the Amended Complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The basis for this motion is set forth in the accompanying Memorandum in Support of Defendants' Motion to Dismiss.

ROSEBORO NOTICE

Consistent with the requirements of *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the following notice advises the *pro se* plaintiff that:

- 1) He is entitled to file a response opposing the motion and any such response must be filed within twenty-one (21) days of the date on which this motion was filed; and
- 2) The Court could dismiss this action on the basis of the Defendants' moving papers if he does not file a response; and
- 3) He must identify all facts stated by the Defendants with which he disagrees and must set forth his version of the facts by offering affidavits (written statements signed before a notary public under oath) or by filing sworn statements (bearing a certificate that it is signed under penalty of perjury); and

4) He also is entitled to file a legal brief in opposition to the one filed by the Defendants.

Respectfully submitted,

By: /s/ Carol L. Lewis
Counsel

Mark R. Herring
Attorney General of Virginia

Erin B. Ashwell
Chief Deputy Attorney General

Donald D. Anderson
Deputy Attorney General

Heather Hays Lockerman
Senior Assistant Attorney General

Carol L. Lewis (VSB #92362)*
Brittany A. McGill (VSB #92401)*
Calvin C. Brown (VSB #93192)*

Assistant Attorney General
Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219
804-692-0558 (telephone)
804-692-1647 (facsimile)
clewis@oag.state.va.us

** Attorneys for Ralph Northam, Robert H. Brink, John O'Bannon, Jamilah D. LeCruise Christopher E. Piper, and Jessica Bowman, in their official capacities, and the Virginia State Board of Elections*

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on August 3, 2021, I electronically filed the Defendants' Motion to Dismiss the Complaint and Amended Complaint with the Clerk of Court using the CM/ECF system. A true copy of said Motion to Dismiss was also sent, via first class mail, to:

Paul Goldman
PO Box 17033
Richmond, VA 23226
Pro se Plaintiff

/s/ Carol L. Lewis
Carol L. Lewis (VSB #92362)*
Assistant Attorney General
Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219
804-692-0558 (telephone)
804-692-1647 (facsimile)
clewis@oag.state.va.us

** Attorney for Ralph Northam, Robert H. Brink, John O'Bannon, Jamilah D. LeCruise Christopher E. Piper, and Jessica Bowman, in their official capacities, and the Virginia State Board of Elections*