

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Richard Brakebill, Deloris Baker, Dorothy
Herman, Della Merrick, Elvis Norquay, Ray
Norquay, and Lucille Vivier, on behalf of
themselves,)

Plaintiffs,)

vs.)

Alvin Jaeger, in his official capacity as the
North Dakota Secretary of State,)

Defendant.)

ORDER

Case No. 1:16-cv-008

On December 13, 2017, plaintiffs filed unopposed motions for leave to file an amended complaint, to remove Ms. Deloris Baker as a plaintiff without prejudice, and for counsel to withdraw as counsel for Ms. Baker. They advise that a breakdown in communication has made it impossible for counsel to effectively represent Ms. Baker.

Defendant objects to plaintiff’s characterization of the motions as “unopposed” insofar as he was yet to review the motion to remove Ms. Baker as a plaintiff. In so doing, he reserves his right to respond to the motion in the time afforded him under the Federal Rules of Civil Procedure.

The court advises that it shall hold the motions in abeyance pending defendant’s response, which, by the court’s calculation, is due on or about December 28, 2017, and plaintiffs’ reply, which is due seven days thereafter.

IT IS SO ORDERED.

Dated this 14th day of December, 2017.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court