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Attorneys for Defendant,
MELINDA DUBROFF

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO BRANCH

RALPH LEE WHITE, individually,
Plaintiff,

v.

CHRISTIAN CLEGG, in his official
capacity as Interim City Clerk for the City
of Stockton; CITY OF STOCKTON, a
municipal corporation; MELINDA
DRUBOFF, in her official capacity as
Registrar of Voters for the County of San
Joaquin; ALEX PADILLA, in his official
capacity as the Secretary of State for
California.

Defendants.

CASE NO. 2:19-CV-913 JAM EFB PS

**DEFENDANT MELINDA DUBROFF'S
NOTICE OF MOTION AND MOTION
FOR AN ORDER TO DISMISS
PLAINTIFF'S COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF**

Date: July 17, 2019

Time: 10:00 a.m.

Magistrate Judge: Hon. Edmund F. Brennan

Courtroom: 8 (13th Floor)

Trial Date: None Set.

TO PLAINTIFF RALPH LEE WHITE, *IN PROPRIA PERSONA*:

NOTICE IS HEREBY GIVEN that on July 17, 2019, at 10:00 a.m., or as soon thereafter
as the matter may be heard, in Courtroom 8 of the Court located at 501 "I" Street, Sacramento,
California, Defendant MELINDA DUBROFF, mistakenly sued herein as MELINDA DRUBOFF

1 (hereafter “Registrar”), will and hereby does, move this Court for an order to dismiss Plaintiff’s
2 complaint for declaratory and injunctive relief pursuant to Federal Rules of Civil Procedure, Rule
3 12(b)(1) and 12(b)(6). This motion is made on the grounds that the Court lacks subject matter
4 jurisdiction to adjudicate Plaintiff’s complaint and that the complaint fails to state legal theories
5 or facts against the Registrar upon which relief can be granted.

6 This motion is based upon this notice, the accompanying memorandum of points and
7 authorities filed concurrently herewith, the pleadings papers and records on file herein, and on
8 such other and further evidence, materials, and argument as the Court may receive.

9
10 Dated: June 12, 2019

11 OFFICE OF THE COUNTY COUNSEL

12 By: /s/ Erin H. Sakata
13 ERIN H. SAKATA
14 Deputy County Counsel
15 Attorneys for Defendant
16 MELINDA DUBROFF
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