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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

SECRETARY OF STATE BEN YSURSA,)
)
Plaintiff,)
)
v.)
EDUCATION VOTERS OF IDAHO, INC., an)
Idaho Non-Profit Corporation, and its Board of)
Directors DEBBIE FIELD, PHIL REBERGER,)
and MARK DUNHAM, in their official capacities,)
)
Defendants.)

Case No.12-cv-00536-EJL
**PLAINTIFF’S MOTION UNDER 28
U.S.C. § 1447(c) TO REMAND TO
STATE COURT**

The Secretary of State of the State of Idaho, the Hon. Ben Ysursa, by and through his counsel in the Office of the Attorney General of Idaho, hereby moves the Federal District Court under 28 U.S.C. § 1447(c) to remand this civil action to State Court because the Federal District Court does not have subject-matter jurisdiction.

This Motion is supported by an accompanying Memorandum in Support of Plaintiff’s Motion under 28 U.S.C. § 1447(c) to Remand to State Court.

DATED this 26th day of October, 2012.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By /s/ Michael S. Gilmore
MICHAEL S. GILMORE
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of October, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Christ T. Troupis

DATED this 26th day of October, 2012.

By /s/ Michael S. Gilmore
MICHAEL S. GILMORE
Deputy Attorney General