

CV-19-245

2020 APR 17 AM 11:50

RECEIVED
U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

DISMISS, AND ANSWER

v.

**CHEROKEE NATION ELECTION
COMISSION,
And
DON SCOTT,
Respondents**

2019 APR 17 AM 11:50

I. MOTION TO DISMISS

- ## II. ANSWER

6. Paragraph 1 of the Petition Denied.
7. Paragraph 2 of the Petition Denied.

8. Paragraph 3 of the Petition Admitted.

9. Paragraph 4 of the Petition Admitted.

10. Respondent is without sufficient knowledge to Admit or Deny Paragraph 5 of the Petition.

11. Paragraph 6 of the Petition Admitted.

12. Paragraph 7 of the Petition Admitted.

13. Paragraph 8 of the Petition Admitted.

14. Paragraph 9 of the Petition Admitted.

15. Paragraph 10 of the Petition Denied.

16. Respondent is without sufficient knowledge to Admit or Deny Paragraph 11 of the Petition.

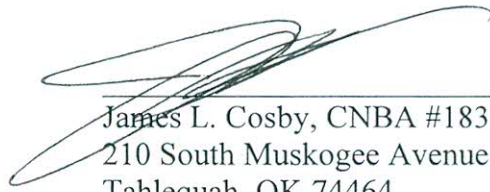
17. Paragraph 12 of the Petition Denied.

18. Paragraph 13 of the Petition Denied.

WHEREFORE, premises considered the Respondent, Don Scott respectfully requests that the Petition be dismissed for Petitioner's failure to exhaust administrative remedies as prayed for above and Respondent hereby Answers the Petition as set forth above, and for any further relief available.

Respectfully submitted,

DON SCOTT



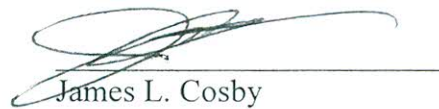
James L. Cosby, CNBA #183
210 South Muskogee Avenue
Tahlequah, OK 74464
Ph.918-458-0069
Fax 918-458-9969
Attorney Don Scott

CERTIFICATE OF DELIVERY

I, James L. Cosby, do hereby certify on April 17, 2019, that I mailed a true and correct copy of the foregoing instrument to:

Deborah A. Reed
Attorney for Petitioner
3101 N. Hemlock Circle, Suite 112
Broken Arrow, OK 74012

Harvey Chaffin
c/o Cherokee Nation Election Commission
Tahlequah, OK 74464



James L. Cosby