

LYN FRICKER  
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**MONTANA TWENTIETH JUDICIAL DISTRICT COURT,  
LAKE COUNTY**

TRACY SHARP, LARRY  
ASHCRAFT, LUKAS  
SCHUBERT, MATTHEW  
REGIER, and REPUBLICANS  
FOR FREEDOM

Plaintiffs and Petitioners,

v.

CHRISTI JACOBSEN, in her  
official capacity as Montana  
Secretary of State

Defendant and Respondent.

Cause No. DV-24-153  
Hon. John A. Mercer  
Dept. 2

**STIPULATION  
CONSENTING TO  
PLAINTIFF'S APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
SETTING HEARING FOR  
PRELIMINARY  
INJUNCTION**

Plaintiff , as represented by their counsel of record, and Defendant, in her  
official capacity as Secretary of State, through her counsel Austin M. James

*[Handwritten number 4 in a circle]*

stipulate to consent to follow the Temporary Restraining Order and Preliminary Injunction as requested by Plaintiff. Both parties state as follows:

1. Plaintiff requested a temporary restraining order is being issued to prevent the Secretary of State from certifying CI-126 and CI-127 for the 2024 general election ballot until a preliminary injunction can be heard, giving the Court an opportunity to determine whether the Secretary is complying with Mont. Code Ann. §13-27-302 and counting only active electors on active lists are counted as valid signatures on petitions, as defined in Mont. Code Ann. §13-1-101(1)-(2), and as required by The Constitution of the State of Montana, Article XIV (9)(1).
2. The Secretary of State agrees that Montana law requires the inactive electors to be excluded from countable signatures to add an initiative to the ballot, as inactive electors are not Qualified Electors as required by the Constitution. As such, the Secretary agrees to stipulate to Plaintiff's TRO and Preliminary Injunction to the extent that the Secretary is obligated to ensure only Qualified Electors are certified for the petitions at issue.
3. Following corrective action to ensure compliance with Montana Law, the Secretary of State was also sued on this issue in Lewis and Clark County District Court, Cause No: DV 25-24-463.

Dated on this 15 day of July, 2024

By: /s/ Abby Jane Moscatel  
Abby Jane Moscatel

Dated on this 15 day of July, 2024.

By: /s/Austin James  
Austin M. James

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