

STATE OF MAINE
KENNEBEC, ss

SUPERIOR COURT
CIVIL ACTION
Docket No. CV-23-52

WILLIAM CLARDY; MICHELLE TUCKER;
SHELLEY RUDNICKI, Maine State
Representative; RANDALL GREENWOOD,
Maine State Representative; and RESPECT
MAINE,

Plaintiffs,

v.

TROY D. JACKSON, President of the Maine
Senate; RACHEL TALBOT ROSS, Speaker
of the Maine House of Representatives;
and JANET T. MILLS, Governor of the State
of Maine,

Defendants.

ORDER

Defendants Troy D. Jackson, President of the Maine Senate; Rachel Talbot Ross, Speaker of the Maine House of Representatives; and Janet T. Mills, Governor of the State of Maine, have moved to dismiss this case pursuant to M.R. Civ. P. 12(b)(1) and M.R. Civ. P. 12(b)(6).

Having reviewed the submissions on this motion, the court agrees that dismissal is warranted. Plaintiffs have both failed to assert a valid cause of action or a claim upon which relief can be granted and have failed to demonstrate standing. Moreover, if the Court provided Plaintiffs with the relief they seek, the Court would be intruding into the functions of the other branches of government—an intrusion that would violate the separation of

powers enshrined in Maine's Constitution. Finally, Defendants are entitled to absolute legislative immunity for all the claims in the Amended Complaint.

Accordingly, the Court GRANTS the Defendants' motion. Plaintiffs' Amended Complaint is hereby DISMISSED, and judgment is entered in favor of Defendants.

Pursuant to M.R. Civ. P. 79, the clerk shall incorporate this order and judgment into the docket by reference.

Date:

Justice, Superior Court

Defendants' Proposed Order