

STATE OF MICHIGAN  
IN THE COURT OF APPEALS

(On Appeal from the Board of State Canvassers – Michigan Bureau of Elections)

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Governor Gretchen Whitmer,  
Plaintiff-Appellant,

Court of Appeals Docket No. 354475

vs.

Board of State Canvassers,

**Plaintiff-Appellant Governor Gretchen Whitmer's  
Notice of Withdrawal of Legal Argument**

Defendant-Appellee.

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**PLAINTIFF-APPELLANT GOVERNOR GRETCHEN WHITMER'S  
NOTICE OF WITHDRAWAL OF LEGAL ARGUMENT**

Plaintiff-Appellant Governor Gretchen Whitmer (“Governor Whitmer”), through counsel, for her Notice of Withdrawal of Legal Argument states as follows:

1. On November 23, 2020, Governor Gretchen Whitmer filed her amended brief on appeal in the above-referenced matter.
2. One of the legal arguments Governor Whitmer made in her brief on appeal was that the July 31, 2020 meeting the Board of State Canvassers held approving recall petition language against her violated the Open Meetings Act therefore rendering the decision void.
3. Governor Whitmer hereby provides notice to the Court that she withdraws this argument, only, as a ground for appeal.
4. The Board concurs in this Notice.

WHEREFORE, Governor Whitmer respectfully requests that this Court take notice of her withdrawal of one her legal argument in her brief on appeal and that the Court not consider such an argument.

DATE: December 17, 2020

Respectfully submitted,

CLARK HILL, PLC

By: /s/ Christopher M. Trebilcock  
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