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Attorney for Defendant

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
Geoffrey STANEK,  
Defendant.

Case No. 3:16-CR-051-BR  
MOTION TO DISMISS COUNT  
TWO

Defendant in the above-captioned case moves this Court for an order dismissing Count Two of the superseding indictment, as the offense charged is vague and overbroad in violation of the Due Process Clause of the Fifth Amendment to the United States Constitution and encompasses activity protected by the First and Second Amendments.

This motion is supported by a memorandum of law filed contemporaneously herewith, and also relies on and incorporates in relevant part the memorandum filed in support of the Motion to Dismiss Count 1, filed today and found at PACER 471.

Undersigned counsel has conferred with the government regarding this motion. The government opposes this motion.

Respectfully submitted this 27th day of April, 2016.

/s/ (intended as original in electronic filings)

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Benjamin T. Andersen, OSB 06256