

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ASHTON WHITAKER,

Plaintiff,

Civ. Action No. 2:16-cv-00943

KENOSHA UNIFIED SCHOOL DISTRICT  
NO. 1 BOARD OF EDUCATION,

Defendant.

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**DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS**

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Now comes the Defendant, by and through its attorneys, Mallery & Zimmerman, S.C., and hereby moves the Court, pursuant to Federal Rule of Civil Procedure 12(c) and 12(h)(2)(B), for judgment on the pleadings given that Plaintiff's claims are legally deficient as a matter of law based on the operative pleading and the controlling case law. Defendant respectfully requests that an order be issued dismissing Plaintiff's claims against Defendant, with prejudice. The grounds for this motion are more fully described in the accompanying brief in support.

Dated this 25th day of October, 2017.

MALLERY & ZIMMERMAN, S.C.  
Attorneys for Defendant

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