

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brittany R. Tovar and Reid Olson,

Case No.: 0:16-cv-00100-DWF/LIB

Plaintiffs,

-v-

Essentia Health, Innovis Health, LLC, dba
Essentia Health West, HealthPartners, Inc.,
and HealthPartners Administrators, Inc.,

Defendants.

**DEFENDANTS
HEALTHPARTNERS, INC. AND
HEALTHPARTNERS
ADMINISTRATORS, INC.’S
MOTION TO DISMISS FIRST
AMENDED COMPLAINT AND
TO STAY DISCOVERY**

TO: Plaintiffs BRITTANY R. TOVAR and REID OLSON, and their attorneys, Lisa C. Stratton and Christy L. Hall, GENDER JUSTICE, 550 Rice Street, St. Paul, Minnesota 55103.

Defendants HealthPartners, Inc. (“HealthPartners”) and HealthPartners Administrators, Inc. (“HPAI”) respectfully move the Court to dismiss Count I of Plaintiffs’ First Amended Complaint (the only claim against HealthPartners and HPAI) on the grounds that Brittany Tovar lacks standing to pursue a claim and that Plaintiffs have failed to state claims against HealthPartners and HPAI upon which relief can be granted. HealthPartners and HPAI also move the Court to stay discovery while this dispositive motion is under advisement. The motions are brought pursuant to Rule 12 and Rule 26 of the Federal Rules of Civil Procedure, and are based upon HealthPartners and HPAI’s memorandum of law, oral argument, supporting papers and the entire file and proceedings herein. HealthPartners and HPAI are serving and filing their memorandum and supporting papers contemporaneously herewith.

Date: January 16, 2018

LARSON • KING LLP

By: *s/ David M. Wilk*

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