

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ALINA BOYDEN and
SHANNON ANDREWS,

Plaintiffs,

v.

Case No. 17-CV-264

STATE OF WISCONSIN
DEPARTMENT OF EMPLOYEE
TRUST FUNDS, et al.,

Defendants.

**STATE DEFENDANTS' RULE 12(B)(1) AND (6) MOTION TO DISMISS
AND, ALTERNATIVELY, THEIR MOTION TO STAY**

PLEASE TAKE NOTICE that the defendants State of Wisconsin Department of Employee Trust Funds, State of Wisconsin Group Insurance Board, Robert J. Conlin, Secretary of the Department of Employee Trust Funds, Board of Regents of the University of Wisconsin System, Raymond W. Cross, President of the University of Wisconsin System, Rebecca M. Blank, Chancellor of the University of Wisconsin-Madison, University of Wisconsin School of Medicine and Public Health, and Robert N. Golden, M.D., Dean of the University of Wisconsin School of Medicine and Public Health (the "State Defendants") hereby move the Court pursuant to Federal Rule of Civil

Procedure 12(b)(1) and (6) for an order dismissing the plaintiffs' claims against them.

As an alternative to dismissing the plaintiffs' claims under Section 1557 of the Patient Protection and Affordable Care Act, 42 U.S.C. § 18116, the State Defendants hereby move the Court to exercise its inherent discretion and power to stay those claims.

As a basis for this motion, the State Defendants refer the Court to their concurrently filed memorandum of law in support of this motion.

Dated this 22nd day of June, 2017.

Respectfully submitted,

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