

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Anmarie Calgaro,

Civil Action No.: 0:16-cv-03919-PAM-  
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Plaintiff,

vs.

St. Louis County; Linnea Mirsch,  
individually and in her capacity as  
Interim Director of St. Louis County  
Public Health and Human Services;  
Fairview Health Services, a Minnesota  
nonprofit corporation; Park Nicollet  
Health Services, a nonprofit  
corporation; St. Louis County School  
District; Michael Johnson, individually  
and in his official capacity as Principal  
of the Cherry School, St. Louis County  
School District; and J.D.K.,

**FAIRVIEW HEALTH SERVICES'  
MOTION TO DISMISS PURSUANT  
TO FED. R. CIV. P. 12(b)(1) AND  
FED. R. CIV. P. 12(b)(6)**

Defendants.

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Defendant Fairview Health Services in the above-named case hereby  
moves the United States District Court, District of Minnesota for an Order to  
Dismiss Fairview Health Services from this matter because:

1. This Court lacks subject-matter jurisdiction over the claims against Fairview Health Services; or

2. The Complaint fails to state a claim against Fairview Health Services upon which relief can be granted.

Said Motion is based upon the Memorandum of Law that will be filed in support thereof, and all of the files, records, and proceedings herein.

Lind, Jensen, Sullivan & Peterson  
A Professional Association

Dated: December 2, 2016

/s/ Paul C. Peterson  
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