

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Anmarie Calgaro,

Case No. 16-CV-3919 (PAM/LIB)

Plaintiff,

vs.

**ST. LOUIS COUNTY  
SCHOOL DISTRICT AND  
MICHAEL JOHNSON'S  
MOTION TO DISMISS**

St. Louis County, et al.,

Defendants.

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Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants St. Louis County School District and Principal Michael Johnson, individually and in his official capacity as Principal of the Cherry School (collectively, “the District”), hereby move the Court for an order dismissing with prejudice the Complaint filed by Plaintiff in the above-referenced matter. Specifically, the District requests an Order granting the following relief:

1. Judgment in favor of the District on the basis that Plaintiff has failed to state a claim upon which relief may be granted and the District is entitled to judgment as a matter of law;
2. An award of costs and disbursements to which the District is entitled as a prevailing party; and
3. Any other relief this Court deems just and appropriate.

Said motion is based upon all the files, records, and proceedings herein, including the supporting documents to be filed within the time allowed by the Federal Rules of

Civil Procedure, Local Rules for the District of Minnesota, and any applicable Orders by the Court.

Respectfully Submitted

Dated: December 9, 2016

s/Elizabeth J. Vieira

Trevor S. Helmers, Atty No. 387785

Elizabeth J. Vieira, Atty No. 392521

**Attorneys for Defendants St. Louis County  
School District and**

**Michael Johnson**

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