

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MELISSA BUCK,
et al.

Plaintiffs,

v.

ROBERT GORDON,
et al.

Defendants.

CASE NO. 1:19-CV-00286

HON. ROBERT J. JONKER
United States District Judge

ORAL ARGUMENT REQUESTED

FEDERAL DEFENDANTS' MOTION TO DISMISS

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), the Federal Defendants hereby move to dismiss Plaintiffs' Complaint as to the Federal Defendants. The grounds for this motion are set forth in the accompanying brief in support.

Pursuant to Local Civil Rule 7.1(d), Counsel for the Federal Defendants contacted the other parties to ascertain their position. Plaintiffs and State Defendants advised that they would oppose the motion.

Oral argument is requested on this motion because of the complex legal issues involved in this case.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

ANDREW BYERLY BIRGE
United States Attorney

MICHELLE BENNETT
Assistant Branch Director

Dated: June 19, 2019

/s/ Christopher A. Bates

CHRISTOPHER A. BATES

Senior Counsel to the Assistant Attorney General

U.S. Department of Justice, Civil Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

(202) 514-3307

christopher.a.bates@usdoj.gov

Counsel for the Federal Defendants