

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

_____)	
THE STATE OF MICHIGAN,)	Case No. 1:12-cv-00962-RJJ
)	
Plaintiff,)	Hon. Robert J. Jonker
)	
vs.)	ORAL ARGUMENT REQUESTED
)	
AARON PAYMENT, LANA CAUSELY,)	DEFENDANTS' MOTION TO DISMISS
CATHY ABRAMSON, KEITH MASSAWAY,)	AMENDED COMPLAINT
DENNIS McKELVIE, JENNIFER McLEOD,)	
DEBRA ANN PINE, D.J. MALLOY,)	
CATHERINE HOLLOWELL, DARCY)	
MARROW, DENISE CHASE, BRIDGET)	
SORENSEN, and JOAN ANDERSON,)	
)	
Defendants.)	
_____)	

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Defendants Aaron Payment, Lana Causely, Cathy Abramson, Keith Massaway, Dennis McKelvie, Jennifer McLeod, Debra Ann Pine, D.J. Malloy, Catherine Hollowell, Darcy Marrow, Denise Chase, Bridget Sorenson, and Joan Anderson hereby move pursuant to Federal Rule of Civil Procedure 12(b)(1), (6), and (7) to dismiss the State of Michigan's amended complaint. As set forth in the accompanying brief in support of defendants' motion, the amended complaint should be dismissed for lack of subject-matter jurisdiction, failure to join a necessary party, and/or failure to state a claim. Counsel for defendants conferred with counsel for the State pursuant to Local Rule 7.1(d) prior to filing this motion. The State opposes the motion.

WHEREFORE, defendants respectfully request that the State of Michigan's amended complaint be dismissed with prejudice.

Dated: March 20, 2015

Respectfully submitted,

/s/ Danielle Spinelli

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