

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

NAACP, ET AL.,	:	No. 3:18-cv-01094-WWE
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
DENISE MERRILL, ET AL.,	:	
<i>Defendants.</i>	:	SEPTEMBER 6, 2018

DEFENDANTS' MOTION TO DISMISS

COME NOW the Defendants and respectfully request that this Honorable Court enter an Order dismissing this case pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure because the case is barred by the Eleventh Amendment, and also pursuant to Rule 12(b)(6) because the Complaint fails to state a claim upon which relief can be granted. In support of this motion Defendants have filed simultaneously herewith a Memorandum of Law demonstrating why they are entitled to the requested relief.

WHEREFORE, Defendants respectfully request that this Honorable Court enter an Order dismissing this case in its entirety with prejudice for lack of jurisdiction and for failure to state a claim upon which relief can be granted.

ORAL ARGUMENT REQUESTED

Respectfully submitted,

DEFENDANTS DENISE MERRIL
AND DANIEL P. MALLOY

GEORGE JEPSEN
ATTORNEY GENERAL

BY: /s/ Michael K. Skold
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CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2018, a copy of the foregoing was electronically filed. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Michael K. Skold

Michael K. Skold

Assistant Attorney General