

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DELTA SIGMA THETA SORORITY, INC.	*	
Plaintiff,	*	
	*	
v.	*	CASE NO. 1:06CV01993
	*	(RMC)
	*	
DEREK & JAMAR PRODUCTIONS, LLC	*	
Defendant.	*	
* * * * *		

**MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM
UNDER Fed. R. Civ. P. 12(b)(6)**

COMES NOW THE DEFENDANT, Derek&Jamar Productions, LLC (hereinafter "D&J"), by undersigned counsel, and moves this Court to Dismiss the Complaint of Plaintiff Delta Sigma Theta Sorority, Inc. (Hereinafter "Delta").

As grounds for this Motion D&J hereby incorporate by reference the accompanying Memorandum of Points and Authorities, which sets forth the factual and legal grounds with more particularity. In sum, D&J is entitled to Dismissal because the Complaint fails to state any claim on which relief can be granted because there are no allegations of fact or reasonable inferences arising from well pleaded facts that support any claim against D&J.

Dated: February 19, 2007

Respectfully submitted,

Derek&Jamar Productions, LLC,
by counsel

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Counsel for Defendant D&J Productions, LLC

By: _____
David Zachary Kaufman, Bar# 435123

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2007 a true and correct copy of the following to be served by ECR on Devarieste Curry, Esq. counsel of record for Plaintiff Delta Sigma Theta Sorority, Inc.

David Zachary Kaufman

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* * * * *		

ORDER

This Court, after careful consideration of the Motion To Dismiss for Failure to State a Claim Under Fed. R. Civ. P. 12(b)(6) by Defendant Derek & Jamar Productions, LLC, and the Opposition thereto by Plaintiff Delta Sigma Theta Sorority, Inc. as expressed by its counsel, hereby

GRANTS Defendant Derek & Jamar Productions, LLC, Motion to Dismiss and

ORDERS that the above-captioned case by Dismissed With Prejudice.

Judge Collyer