

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

DENNIS KUCINICH, *et al.*,)
)
 Plaintiffs,)
)
 v.)
)
 BARACK OBAMA, *et al.*,)
)
 Defendants.)
 _____)

Case No. 1:11-cv-01096 (RBW)

MOTION TO DISMISS

Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, defendants, by and through undersigned counsel, hereby move to dismiss the above-captioned action. The grounds for the motion are set forth in the accompanying memorandum of law. A proposed order is attached.

DATED: August 19, 2011

Respectfully submitted,

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Assistant Attorney General

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/s/ Eric Womack

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CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2011, I caused a true and correct copy of the foregoing Motion, the attached Memorandum in Support, and the attached Proposed Order to be served on plaintiffs' counsel electronically by means of the Court's ECF system.

/s/ Eric Womack
ERIC R. WOMACK