

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

MIKHAIL FRIDMAN, PETR AVEN, and
GERMAN KHAN,

Plaintiffs,

v.

BEAN LLC a/k/a FUSION GPS, and GLENN
SIMPSON,

Defendants.

Civil Case No. 1:17-cv-2041-RJL

**DEFENDANTS' SPECIAL MOTION TO DISMISS THE AMENDED COMPLAINT
PURSUANT TO THE D.C. ANTI-SLAPP ACT**

Pursuant to the District of Columbia Anti-SLAPP Act of 2010, D.C. Code § 16-5502(a) (“the Anti-SLAPP Act” or “the Act”), Defendants Bean LLC a/k/a Fusion GPS, and Glenn Simpson (together, “Defendants”), by and through undersigned counsel, respectfully move for an order dismissing the Amended Complaint with prejudice. Defendants reserve the right to move for an award of the costs of litigation, including attorneys’ fees, within fourteen days after the entry of judgment following a grant of this motion, pursuant to D.C. Code § 16-5504 and Federal Rule of Civil Procedure 54(d)(2).

For the reasons set forth more fully in the accompanying Memorandum of Points and Authorities, Defendants’ alleged publication is protected under the Anti-SLAPP Act as an “[a]ct in furtherance of the right of advocacy on issues of public interest.” D.C. Code § 16-5502(a). As a result, Plaintiffs are required to show they are “likely to succeed on the merits” of their claims, D.C. Code § 16-5502(b), a burden which they cannot carry. Accordingly, this Court should grant Defendants’ motion and enter judgment in their favor dismissing the Amended Complaint with prejudice.

Dated: January 29, 2018

Respectfully submitted,

/s/ William W. Taylor, III

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FUSION GPS and Glenn Simpson*

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of January, 2018, I electronically filed and served the foregoing using the CM/ECF system.

/s/ Rachel F. Cotton

Rachel F. Cotton