

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PUBLIC CITIZEN, INC., et al.	*	CIVIL ACTION NO. 08-4451, c/w 08-4994
	*	
Plaintiffs,	*	<i>This Pleading Applies to All Cases</i>
	*	
VERSUS	*	SECTION "F"
	*	
LOUISIANA ATTORNEY DISCIPLINARY BOARD, et al.	*	JUDGE FELDMAN
	*	
Defendants.	*	MAGISTRATE WILKINSON
	*	
	*	
	*	

DEFENDANTS' MOTION TO DISMISS

Defendants, the Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier (collectively, "Defendants"), hereby move, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(h)(3), for an order dismissing all of Plaintiffs' claims against Defendants in these consolidated suits. For the reasons set forth in the accompanying Memorandum in Support, Defendants are entitled to the requested relief.

WHEREFORE, the Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier pray that, pursuant to Federal Rules of Civil Procedure 12(b)(1) and

12(h)(3), this Court enter judgment dismissing all of Plaintiffs' claims against Defendants in these consolidated suits.

Dated: July 14, 2009

Respectfully submitted,

/s/ Phillip A. Wittmann

Phillip A. Wittmann, T.A., La. Bar No. 13625

Kathryn M. Knight, La. Bar No. 28641

Matthew S. Almon, La. Bar No. 31013

Of

STONE PIGMAN WALTHER WITTMANN L.L.C.

546 Carondelet Street

New Orleans, Louisiana 70130-3588

Telephone: (504) 581-3200

Facsimile: (504) 581-3361

Attorneys for Louisiana Attorney Disciplinary Board, Billy R. Pesnell, and Charles B. Plattsmier

CERTIFICATE

I hereby certify that on this 14th day of July, 2009, a copy of the foregoing Defendants' Motion to Dismiss has been served upon each counsel of record by notice of electronic filing generated through the CM/ECF system, and/or by United States mail, facsimile, or e-mail for those counsel who are not participants in the CM/ECF system.

/s/ Phillip A. Wittmann