UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA SHREVEPORT DIVISION

SHELLY LANDRY-BELL,

Civil Action No. CV05-1526 S

Plaintiff,

Judge Stagg Magistrate Judge Hornsby

VS.

MOTION TO DISMISS [Fed.R.Civ.P. 12(b)(6)]

VARIOUS, INC. and ZACH WILHELM,

Defendants.

MOTION TO DISMISS

Defendant Various, Inc., through undersigned counsel hereby, hereby moves to dismiss plaintiff's Complaint, and all claims contained within it, for failure to state a claim upon which relief can be granted, pursuant to Federal Rule of Procedure 12(b)(6).

In support of its Motion to Dismiss, defendant Various, Inc. relies upon this Motion, the attached Memorandum In Support, the filings in this case, and such evidence and argument as may be adduced at hearing on the matter.

Dated: September 27, 2005

Ira P. Rothken (T.A. - Pro Hac Vice, Cal. Bar 160029) Attorney for Defendant Various, Inc.

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