CoStar Realty Information, Inc. et al v. Centers & Malls, LLC et al Doc. 48

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CoStar Realty Information, Inc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 8:07 CV 1182 AW**
	)	
Centers & Malls, LLC, et al.,	)	
	)	
Defendants.	)	
	)	

MOTION OF CENTERS & MALLS, LLC, ROBERT GALVIN AND GUY HAYS TO DISMISS FIRST AMENDED COMPLAINT, OR, IN THE ALTERNATIVE, TO DISMISS COUNT VI OF FIRST AMENDED COMPLAINT

Come now defendants Centers & Malls, LLC ("Centers & Malls"), Robert Galvin ("Galvin") and Guy Hays ("Hays"), by counsel Rubin, Winston, Diercks, Harris & Cooke, LLP, and move this Court to dismiss the First Amended Complaint, or in the Alternative, to Dismiss Count VI of the First Amended Complaint for the reasons set forth in defendants' accompanying memorandum of law, as follows:

1. Dismiss the First Amended Complaint because the Plaintiff has added a party, namely Garrett Van Siclen, without obtaining leave of Court, as required by Fed. R. Civ. P. 21;

2. Dismiss Count VI of the Complaint (conversion) for failure to state a claim for which relief can be granted.

Dated: August 2, 2007

Respectfully submitted,

/s/ Walter E. Diercks
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