

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**WILLIAM V. AGUIAR** )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 **FLOYD WEBB, BARRON SHEPHERD** )  
 **WENDY SHEPHERD, and** )  
 **ASHIDA KIM** )  
 )  
 Defendants. )

Civil Action No. **07-11673-MLW**

**CO-DEFENDANTS’ MOTION TO DISMISS**

Defendant Barron Shepherd and Defendant Wendy Shepherd (collectively “Defendants”) move that this Court dismiss this complaint for lack of personal jurisdiction and for failure to state a claim pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure. As discussed in more detail in the accompanying Memorandum in Support, this action should be dismissed.

Respectfully submitted,

**BARRON SHEPHERD  
WENDY SHEPHERD**

By their attorneys,

/s/ Aaron Silverstein  
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Dated: October 1, 2007

**CERTIFICATE OF CONSULTATION**

I, Aaron Silverstein, hereby certified that counsel for co-defendants, Barron and Wendy Shepherd, conferred in good faith with pro se plaintiff regarding this motion in an attempt to resolve or narrow the issues presented by this motion but no agreement was reached.

/s/ Aaron Silverstein  
Aaron Silverstein

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants on October 1, 2007.

/s/ Aaron Silverstein  
Aaron Silverstein