UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-11117-MLW

FRIEDRICH LU,
      Plaintiff,

v.

GEORGE HULME, in his individual
capacity and in his official capacity,
TRUSTEES OF THE BOSTON PUBLIC
LIBRARY,
      Defendants.

DEFENDANTS GEORGE HULME AND TRUSTEES OF THE BOSTON PUBLIC LIBRARY'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6)

Now come the Defendants, George Hulme and the Trustees of the Boston Public

Library (collectively, "Defendants") and hereby respectfully move this Honorable Court

pursuant to Fed. R. Civ. P. 12(b)(6) to dismiss all counts set forth in the Plaintiff

Friedrich Lu's Complaint against them.

As grounds for this Motion, Defendants state that the Complaint fails to articulate

a factual basis for his claims against the Defendants under 42 U.S.C. § 1983 (Count I)

and fails to set forth a viable claim under the Massachusetts Civil Rights Act, M.G.L. c.

12, § 11I.

Further grounds of support for dismissal are set forth in the accompanying

memorandum of law.

Date: July 5, 2012

Respectfully submitted,

DEFENDANTS GEORGE HULME, in his individual capacity and in his official capacity and TRUSTEES OF THE BOSTON PUBLIC LIBRARY

William Sinnott
Corporation Counsel

By their attorneys:

/s/Caroline O. Driscoll_____
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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that on July 3, 2012 I emailed Plaintiff regarding the Defendants' intention to file this Motion and attempted to resolve or narrow the issues raised in this case. As of the time of filing, I have not received a response from Plaintiff.

I also certify that on July 5, 2012, I filed this document through the Court's CM/ECF system and that an electronic copy will be sent via email to those identified as non-registered participants per agreement with Plaintiff.

/s/Caroline O. Driscoll
Caroline O. Driscoll