

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

WILLIAM CHAPLIN,	)
Plaintiff,	)
	)
v.	)
	)
UNIVERSITY OF MASSACHUSETTS	)
AT AMHERST; ENKU GELAYE,	)
Individually and in her official capacity	)
as Dean of Students of the University of	)
Massachusetts at Amherst; and	)
ALLISON BERGER, Individually and in	)
her official capacity as Associate Dean	)
of Students of the University of	)
Massachusetts at Amherst	)
Defendants.	)

Case No. 3:12-cv-30074-KPN

DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT FOR  
LACK OF SUBJECT MATTER JURISDICTION and OPPOSITION TO PLAINTIFF'S  
MOTION FOR PRELIMINARY INJUNCTION

Pursuant to Fed. R. Civ. P. 12(b)(1), defendants University of Massachusetts Amherst ("University"), University of Massachusetts Amherst Dean of Students, Enku Gelaye ("Dean Gelaye"), and University of Massachusetts Amherst Associate Dean of Students, Allison Berger ("Associate Dean Berger") (collectively "University defendants") move to dismiss plaintiff's complaint for lack of subject matter jurisdiction. The University defendants, additionally, oppose plaintiff's "Emergency Ex Parte Motion for Injunctive Relief." The University defendants rely upon the Memorandum in Support of Motion of Defendants University of Massachusetts Amherst et al. to Dismiss Plaintiff's Complaint and Opposition to Plaintiff's Motion for Preliminary Injunction, filed simultaneously herewith, and its attached exhibits and declarations, in further support of this motion.

*ALLOWED, based on Plaintiff's failure to oppose and failure to comply with <sup>the</sup> order of the court. The clerk will enter a judgment of dismissal. This case may now be closed. So ordered. Michael C. Proulx USPT 6:19:12*