

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

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Webb Candy, Inc. and  
Licensed Sports Marketing, LLC,

Court File No. 09-cv-2056 PJS/JJK

Plaintiffs,

vs.

**DEFENDANT'S MOTION TO DISMISS  
OR, IN THE ALTERNATIVE, TO  
TRANSFER VENUE**

Wal-Mart Stores, Inc.,

Defendant.

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Defendant Wal-Mart Stores, Inc. moves the Court to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(3) for improper venue or, in the alternative, to transfer venue to the United States District Court for the Western District of Arkansas pursuant to 28 U.S.C. § 1404(a).

This Motion is based on the file, record, pleadings, and arguments of counsel in the case, as well as Defendant's Memorandum of Law, Declarations, and Exhibits which will be filed in accordance with the local rules.

Dated: August 12, 2009

s/Sarah C.S. McLaren  
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