

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

MARCY A. JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	No. 2:10-cv-04027-NKL
)	
WEST PUBLISHING CORP.,)	
)	
Defendant.)	

DEFENDANT’S MOTION TO DISMISS COUNT II OF PLAINTIFF’S COMPLAINT

Defendant West Publishing Corporation (“West”) moves for an Order of Dismissal as to Count II of Plaintiff’s Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. For the reasons set forth in the accompanying Suggestions in Support, which are incorporated herein by reference, the Court should dismiss Count II because Plaintiff has failed to allege sufficient facts to state a claim upon which relief can be granted.

WHEREFORE, West respectfully requests that this Court dismiss with prejudice Count II of Plaintiff’s Complaint and grant West such other and further relief as the Court deems just and proper.

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CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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