

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SELENA WITCHER

**NOTICE OF MOTION TO
DISMISS THE THIRD AMENDED
COMPLAINT**

Plaintiff,

1:21 CV 07750 – PGG-SN

-against-

NEW YORK CITY DEPARTMENT OF EDUCATION,
DR. COLIN WOLFE, DR. LORENO MORENO and
VICTORIA WALTERS

Defendants.

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PLEASE TAKE NOTICE that the undersigned, on behalf of Defendant VICTORIA WALTERS (“Defendant Walters”) pursuant to the annexed Memorandum of Law in Support of her Motion to Dismiss the Third Amended Complaint will move this Court, before the Honorable Sarah Netburn at the United States Courthouse, 500 Pearl Street, New York, New York at a date and time to be determined by the Court, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Third Amended Complaint in its entirety with prejudice.

Dated: New York, New York

September 26, 2024

MEMO ENDORSED

Given the stipulation of discontinuance entered into by Plaintiff and Defendant Walters, the motion to dismiss is denied as moot. The Clerk of Court is directed to terminate the motion (NY No 90).

Yours, etc.

/s/ Jesse Gribben
JESSE GRIBBEN (SS# 3799)
Himmelstein McConnell Gribben
& Joseph LLP

SO ORDERED: Attorneys for Defendant Walker

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Dated: Nov. 22, 2024

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