

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEAN ELDRIDGE,
Individually, and on behalf of all others
similarly situated,

Plaintiff,

-against-

GREYHOUND LINES, INC., FLIX SE,
FLIX NORTH AMERICA, INC.,
FIRSTGROUP, PLC, FIRSTGROUP
SERVICES, INC., TWENTY LAKE
HOLDINGS LLC, and TWENTY LAKE
MANAGEMENT LLC,

Defendants.

X

: Civil Action No.: 23-cv-3727

:
: **NOTICE OF MOTION TO DISMISS**
: **COMPLAINT PURSUANT TO FED.**
: **R. CIV. P. 12(B)(2) AND 12(B)(6)**

:
: **This motion is DENIED as moot in light of the**
: **filing of the Amended Complaint.**

:
: **The Clerk of Court is respectfully directed to**
: **close the motion at Dkt. 62.**

:
: **Dated: November 14, 2023**
: **New York, New York**

X


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

PLEASE TAKE NOTICE that upon the Declaration of Tricia Martinez, dated October 19, 2023, the Declaration of Christy Baker, dated October 19, 2023, the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss the Complaint, dated October 20, 2023, and all pleadings, papers and proceedings previously had herein, Defendant FirstGroup, PLC ("Defendant" or "FirstGroup") will move this Court at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, before the Honorable Lorna G. Schofield, United States District Judge, at a time and date to be designated by the Court, for an Order, dismissing Plaintiff's Complaint in its entirety for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2) and failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6), and for such other and further relief as the Court deems just, proper and equitable.

PLEASE TAKE FURTHER NOTICE that, pursuant to the parties' So Ordered briefing schedule, any opposing affidavits and answering memoranda shall be served by Plaintiff on or before

November 9, 2023; and reply papers, if any, shall be served by the Defendant on or before November 21, 2023.

PLEASE TAKE FURTHER NOTICE that, in the event that this motion is denied, in whole or in part, Defendant respectfully requests thirty (30) days from docketing of the order to file an Answer to the Complaint.

Dated: Melville, New York
October 20, 2023

LITTLER MENDELSON, P.C.

By:/s/ Daniel Gomez-Sanchez

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