## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

DOZIER INTERNET LAW, P.C., a	)
Virginia corporation,	)
	)
Plaintiff,	)
	)
V.	)
	)
RONALD J. RILEY, et al.,	)
	)
	)
Defendants.	)

CIVIL NO. 3:08cv0643 (HEH)

DOZIER INTERNET LAW, P.C.'S MOTION TO REMAND THE CASE PURSUANT TO 28 U.S.C. § 1447(c) AND FED R. CIV. P. 12(b)(1)

COMES NOW **DOZIER INTERNET LAW, P.C.,** a professional corporation organized under the laws of Virginia, by counsel, pursuant to 28 U.S.C. § 1447(c) and Fed. R. Civ. P. 12(b)(1), and respectfully moves this Court to remand the case to state court as this Court lacks subject matter jurisdiction for the reasons set forth in its Memorandum in Support.

Respectfully submitted,

Date: October 29, 2008

## **DOZIER INTERNET LAW, P.C.**

By: /s/ Donald E. Morris\_

John W. Dozier, Jr., Esq. (VSB # 20559) Email: jwd@cybertriallawyer.com Donald E. Morris, Esq. (VSB # 72410) Email: don@cybertriallawyer.com DOZIER INTERNET LAW, P.C. 11520 Nuckols Road Suite 101 Glen Allen, VA 23059 Phone (804) 346-9770 Fax (804) 346-0800

Counsel for Dozier Internet Law, P.C.

## **CERTIFICATE OF SERVICE**

I hereby certify that on October 29, 2008, I electronically filed the foregoing with the

Clerk of the Court using the CM/ECF system, which will send notification of such filing

to the following:

Thomas Wolf, Esq. LeClair Ryan Riverfront Plaza, East Tower 951 East Byrd Street, Eighth Floor Richmond, Virginia 23219 Telephone (804) 916-7143 Email: Thomas.Wolf@leclairryan.com

Paul Alan Levy, Esq. PUBLIC CITIZEN LITIGATION GROUP 1600 – 20<sup>th</sup> Street, N.W. Washington, D.C. 20009 (202) 588-1000 Email: plevy@citizen.org

Counsel for Defendants

/s/ Donald E. Morris

Donald E. Morris, Esq. (VSB # 72410) Email: don@cybertriallawyer.com DOZIER INTERNET LAW, P.C. 11520 Nuckols Road Suite 101 Glen Allen, VA 23059 Phone (804) 346-9770 Fax (804) 346-0800

Counsel for Dozier Internet Law, P.C.