

ROBERT L. PASCO,)
)
 Plaintiff,)
) **Civil Action No.: 5:11CV87**
 v.)
)
 HANK ZIMMERMAN, *et als.*)
)
 Defendant.)

Defendant Hank Zimmerman (“Defendant Zimmerman”), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves that the Court dismiss with prejudice the Complaint in its entirety as against him for failure to state a claim upon which relief can be granted and lack of subject matter jurisdiction, and states in support as follows:


- 1 tlj/ MGM/Shenandoah County/Library/Pasco v. Zimmerman/Pleadings
/motion to dismiss. Zimmerman/MGM/tlj/05387-0;T11-0148/12.13.11

WHEREFORE, Defendant Zimmerman, by counsel, respectfully requests that based on all of the reasons set forth in the attached Memorandum in Support of the Motion to Dismiss, and for the reasons to be argued at the hearing of this matter, the Court grant Defendant Zimmerman's Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismiss this matter with prejudice in its entirety as against him, and for any further relief deemed necessary and proper.

HANK ZIMMERMAN

By Counsel

LITTEN & SIPE L.L.P.

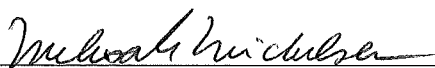
By: 
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J. Jay Litten

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*Counsel for Defendants Hank Zimmerman, Board of Trustees of the
Shenandoah County Library, and Shenandoah County Library.*

CERTIFICATE

I certify that on the 22nd day of December, 2011, I electronically filed the foregoing Motion to Dismiss with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Timothy E. Cupp, Esq., Cupp & Cupp, P.C., 1951-D Evelyn Byrd Avenue, P.O. Box 589, Harrisonburg, Virginia 22803, Cupplaw@comcast.net, Counsel for Plaintiff; and to Julia B. Judkins, Esq., Bancroft, McGavin, Horvath, & Judkins, P.C., 3920 University Drive, Fairfax, Virginia 22030, Jjudkins@bmhjlaw.com, Counsel for Defendant James Dallas Moore.


*Counsel for Defendants Hank Zimmerman, Board
of Trustees of the Shenandoah County Library,
and Shenandoah County Library.*