

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO: 1:23-CV-00041

JACOB DOE,

Plaintiff,

v.

THE UNIVERSITY OF NORTH
CAROLINA SYSTEM, et al.

Defendants.

**INDIVIDUAL DEFENDANTS’
MOTION TO DISMISS**

Defendants Kevin Guskiewicz, Elizabeth Hall, Jeremy Enlow, Beth Froehling, Rebecca Gibson, Jaclyn Feeney, David Elrod, and Desirée Rieckenberg (“Individual Defendants”), under to Rules 12(b)(1), 12(b)(2), 12(b)(3), and 12(b)(6) of the Federal Rules of Civil Procedure, move to dismiss each of the claims against them.

In support of this Motion under Rule 12(b)(3), the Individual Defendants rely on the allegations in the Complaint, the accompanying Declarations of Defendants Elizabeth Hall (attached as Exhibit 1), Jeremy Enlow (attached as Exhibit 2), Beth Froehling (attached as Exhibit 3), Rebecca Gibson (attached as Exhibit 4), Jaclyn Feeney (attached as Exhibit 5), David Elrod (attached as Exhibit 6), and Desirée Rieckenberg (attached as Exhibit 7), and the detailed arguments and dispositive authorities contained in their brief in support of this motion.

In support of the Motion under Rules 12(b)(1), 12(b)(2) and 12(b)(6), the Individual Defendants rely on the allegations in the Complaint, and the detailed arguments and dispositive authorities contained in the brief in support of this motion.

WHEREFORE, the Individual Defendants respectfully request that the Court grant this Motion in its entirety and grant any further relief that the Court deems just and proper.

This the 8th day of May, 2023.

JOSHUA H. STEIN
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **INDIVIDUAL DEFENDANTS' MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all registered CM/ECF users.

This the 8th day of May, 2023.

JOSHUA H. STEIN
Attorney General

/s/ Jeremy D. Lindsley
Attorney for Defendants