IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CHRISTOPHER SEAMAN and ELIZABETH ALLISON LYONS, individually and on behalf of C.S., a minor, et al.,	
Plaintiffs,	No. 3:22-cv-6-NKM
v.	
THE COMMONWEALTH OF VIRGINIA, et al.,	
Defendants.	

DEFENDANTS' RULE 12(B)(1) AND (6) MOTION TO DISMISS

Defendants the Commonwealth of Virginia, Governor Glenn Youngkin, Attorney General

Jason Miyares, Virginia Superintendent of Public Instruction Jillian Ballow, and Acting Virginia

Health Commissioner Colin Greene, by counsel, respectfully moves the Court to grant its Motion

to Dismiss with prejudice under Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure. The

accompanying memorandum in support sets forth Defendants' request for relief.

A proposed Order is attached for the Court's consideration.

February 28, 2022   Respectfully submitted,

                                               By: */s/ Andrew N. Ferguson*
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* *application for admission pending*

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of February, 2022, I electronically filed the foregoing Rule 12(b)(1) and (6) Motion to Dismiss with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to all CM/ECF participants.

/s/ Andrew N. Ferguson
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