

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
KNOXVILLE DIVISION**

STATE OF TENNESSEE, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
AGRICULTURE, *et al.*,

Defendants.

Case No. 3:22-cv-257-TRM-DCP

**DEFENDANTS' MOTION TO DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendants hereby move to dismiss Plaintiffs' complaint, ECF No. 1, for lack of subject-matter jurisdiction and for failure to state a claim. The reasons in support of this motion are set out in Defendants' brief, which is being filed simultaneously with this motion, and which is incorporated here by reference.

Dated: December 5, 2022

Respectfully submitted,

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Principal Deputy Assistant Attorney General

CARLOTTA WELLS  
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*/s/ Cody T. Knapp*

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