

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

ROBERT SCHILLING,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:21cv00022
)	
RICHARD "JAKE" WASHBURN,)	
et al.,)	
)	
Defendants.)	

MOTION TO DISMISS OF DEFENDANTS WASHBURN AND MALLEK

Defendants Richard Washburne and Leo Mallek, by counsel, move this Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss Plaintiff Robert Schilling's Complaint. For the reasons stated in the accompanying Memorandum in Support of Motion to Dismiss, the Plaintiff failed to state a claim against Defendants Washburne and Mallek upon which relief can be granted.

WHEREFORE, Defendants Richard Washburne and Leo Mallek respectfully move the Court to dismiss the Complaint against them as more specifically set out in the accompanying memorandum, and award them such other relief as the Court deems just and proper.

RICHARD "JAKE" WASHBURN
and LEO MALLEK

By /s/ Jim H. Guynn, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of July, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

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