

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION AT LONDON
CIVIL ACTION NO. 6:18-CV-277-KKC**

DERIC JAMES LOSTUTTER, et al.

PLAINTIFFS,

v.

**MATTHEW G. BEVIN, in his official
capacity as GOVERNOR OF THE
COMMONWEALTH OF KENTUCKY**

DEFENDANT.

*** **

THE GOVERNOR'S MOTION TO DISMISS

Matthew G. Bevin, in his official capacity as Governor of the Commonwealth of Kentucky, moves the Court to dismiss the claims in the Plaintiffs' fourth amended complaint (R. Doc. 31) under Rules 12(b)(1) and/or 12(b)(6). A memorandum of law in support is attached.

Respectfully submitted,

/s/ Matthew F. Kuhn

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CERTIFICATE OF SERVICE

On February 15, 2019, I electronically filed this Motion to Dismiss through the ECF system, which will send a notice of electronic filing to the following:

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