

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

The State of Missouri and the State of
Louisiana,

Plaintiffs,

v.

President Joseph R. Biden, Jr., in his official
capacity as President of the United States of
America,

et. al.,

Defendants.

Civil Action No. 22-cv-1213

**DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT-MATTER
JURISDICTION AND FAILURE TO STATE A CLAIM**

For the reasons stated in the accompanying memorandum, Defendants hereby move, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss Plaintiffs' Complaint for lack of subject-matter jurisdiction and failure to state a claim.¹

¹ In the Court's order authorizing expedited discovery, ECF No. 34, the Court found that the States had standing based on the limited discussion presented in the parties' discovery briefs. Defendants respectfully suggest that the more complete discussion presented herein demonstrates why the States fail Article III's requirements.

Dated: July 12, 2022

Respectfully submitted,

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