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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

MH and TB, individually,

Plaintiffs,

vs.

DAVE JEPPESEN, in his official capacity as
the Director of the Idaho Department of Health
and Welfare; DR. MAGNI HAMSO, in her
official capacity as the Medical Director of the
Idaho Division of Medicaid and individually;
and the IDAHO DEPARTMENT OF HEALTH
AND WELFARE.

Defendants.

Case No. 1:22-cv-00409-REP

DEFENDANTS' MOTION TO DISMISS

Defendants move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for a partial dismissal of Plaintiffs' Complaint, and specifically the Fourth Claim for Relief and Defendant Dr. Magni Hamso in her personal capacity.

DEFENDANTS' MOTION TO DISMISS - 1.

This motion is supported by the memorandum in support filed concurrently herewith.

DATED this 25th day of November, 2022.

NAYLOR & HALES, P.C.

By: /s/ Joan E. Callahan

JOAN E. CALLAHAN, Of the Firm
Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of November, 2022, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following person(s):

Howard A. Belodoff
Martin C. Hendrickson
Attorneys for Plaintiffs

■ E-File/E-Serve
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/s/ Joan E. Callahan

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12150_01 Motion to Dismiss FINAL