

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ROBERT EARL COUNCIL AKA KINETIK )**  
**JUSTICE, *et al.*, )**  
**)**  
***Plaintiffs,* )**  
**)**  
**v. )**  
**)**  
**KAY IVEY, *et al.*, )**  
**)**  
***Defendants.* )**

**Case No. 2:23-cv-00712-CLM-JTA**

**MASONITE CORPORATION'S MOTION TO DISMISS**

Defendant Masonite Corporation respectfully moves to dismiss all claims against it under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Plaintiffs lack Article III standing to pursue any prospective relief against Masonite. The complaint is a shotgun pleading that impermissibly lumps together multiple defendants as to the critical factual issues. And Plaintiffs fail to state any claim for relief against Masonite. In support of this Motion, Masonite incorporates the accompanying Memorandum of Law.

Dated: March 29, 2024

Respectfully submitted,

/s/ George R. Parker  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2024, the foregoing was served, via the Court's CM/ECF Document Filing System, upon all registered CM/ECF users in this action.

*/s/ George R. Parker*

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OF COUNSEL