

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

DEE FARMER,

Plaintiff,

v.

EDWARD BRENNAN, ET AL.,

Defendants.

Case No. 91-C-716-S

DEFENDANTS' MOTION TO DISMISS

Defendants, by their attorneys, Kevin C. Potter, United States Attorney for the Western District of Wisconsin, by J.B. Van Hollen, Assistant United States Attorney for that District, hereby move the Court to dismiss the above-entitled action pursuant to Rule 12(b)(1) and (6), Federal Rules of Civil Procedure, and as further grounds for dismissal, defendants move to dismiss pursuant to Rules 12(b)(2) and (5) as it regards to jurisdiction over the persons of L.E. DuBois and N.W. Smith and as L.E. DuBois and N.W. Smith have not been personally served. This motion is based upon the attached memorandum of law and supporting declarations which are incorporated by reference.

Dated this 28th day of October, 1991.

Respectfully submitted,

KEVIN C. POTTER  
United States Attorney

By:

J. B. VAN HOLLEN  
Assistant U.S. Attorney



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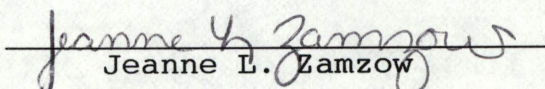
CERTIFICATE OF SERVICE BY MAIL

Jeanne L. Zamzow hereby certifies that she is an employee in the Office of the United States Attorney for the Western District of Wisconsin and is a person of such age and discretion as to be competent to serve papers.

That on Monday, October 28, 1991, she served a copy of the attached DEFENDANTS' MOTION TO DISMISS, DEFENDANTS' MEMORANDUM IN SUPPORT OF MOTION TO DISMISS, DECLARATION OF LARRY E. DUBOIS, DECLARATION OF N.W. SMITH, DECLARATION OF E. J. BRENNAN, and DECLARATION OF DENNIS M. KURZYDLO, by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail.

Addressee:

Dee Farmer  
Reg. No. 23288-037  
PO Box 4000  
Springfield MO 65808

  
Jeanne L. Zamzow