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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF WYOMING**

JAYLYN WESTENBROEK, HANNAH,
 HOLTMEIER, ALLISON COGHAN, GRACE
 CHOATE, MADELINE RAMAR, and MEGAN
 KOSAR, on behalf of themselves and
 derivatively on behalf of KAPPA KAPPA
 GAMMA FRATERNITY,

Plaintiffs,

v.

KAPPA KAPPA GAMMA FRATERNITY, an
 Ohio non-profit corporation, as a Nominal
 Defendant and as a Direct Defendant;
 MARY PAT ROONEY, President of the
 Fraternity Council of KAPPA KAPPA GAMMA
 FRATERNITY, in her official capacity, KAPPA
 KAPPA GAMMA BUILDING CO., a Wyoming
 non-profit corporation, and ARTEMIS
 LANGFORD,

Defendants.

Civil Action No.: 23-CV-00051-ABJ

**DEFENDANTS KAPPA KAPPA GAMMA FRATERNITY, MARY PAT ROONEY, AND
 KAPPA KAPPA GAMMA BUILDING CO.’S MOTION FOR COURT TO SET A
 DEADLINE FOR PLAINTIFFS TO AMEND COMPLAINT OR ELSE HAVE
 DISMISSAL CONVERTED TO DISMISSAL WITH PREJUDICE**

COME NOW, the Defendants Kappa Kappa Gamma Fraternity (“Kappa”), Mary Pat Rooney (“Rooney”), and Kappa Kappa Gamma Building Co. (the “Building Co.”) (collectively, “Defendants”) and hereby move this Court for an Order setting a deadline by which Plaintiffs must seek leave to file a Second Amended Complaint or else have the Court’s August 25, 2023 Order dismissing Plaintiffs’ First Amended Verified Complaint (“Amended Complaint”) without prejudice to a dismissal with prejudice. Defendants propose a deadline of 21 days.

This relief is proper given the substantive decision the Court issued granting Defendants’ Motion to Dismiss and subsequent representations by Plaintiffs that amendment would be futile. Moreover, the requested relief would prevent related parties from using the non-prejudicial nature of the Court’s dismissal to assert duplicative derivative claims while contending this Court’s decision on the same issues does not have a preclusive effect. Defendants submit the accompanying Memorandum of Law in support of this Motion.

Dated: February 28, 2025

Respectfully submitted,

/s/ Natalie M. McLaughlin

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*Attorneys for Defendants Kappa Kappa Gamma
Fraternity, Kappa Kappa Gamma Building Co., and
Mary Pat Rooney*

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing document was delivered to the Court via the CM/ECF System and served upon counsel via CM/ECF electronic transmission this 28th day of February, 2025.

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/s/ Natalie M. McLaughlin

Natalie M. McLaughlin