

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

ABEER ABOUYABIS,

*Plaintiff,*

vs.

EMORY UNIVERSITY ET AL,

*Defendants.*

Case No. 1:25-cv-02438-ELR-CCB

**(Judge Eleanor L. Ross)**

**MILSTEIN DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S  
FIRST AMENDED COMPLAINT**

Milstein Defendants, pursuant to Rule 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, respectfully move this Court to dismiss Plaintiff's First Amended Complaint. The grounds for this Motion include lack of personal jurisdiction under Rule 12(b)(2) and failure to state a claim upon which relief can be granted under Rule 12(b)(6).

In support of this Motion, Defendant relies upon the accompanying Memorandum of Law filed contemporaneously herewith, as required by Local Rule 7.1A(1).

RESPECTFULLY SUBMITTED this 20th day of August 2025.

*/s/ Mark Pinkert*

---

Mark Pinkert, Esq. (*pro hac vice*)

HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK  
PLLC

119 S. Monroe Street, Suite 500

Tallahassee, FL 32301

203-415-6665

mpinkert@holtzmanvogel.com

Jason Torchinsky, Esq. (*admitted  
pro hac vice*)

HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK  
PLLC

2300 N Street NW, Suite 643

Washington, DC 20037

202-737-8808

jtorchinsky@holtzmanvogel.com

Bryan P. Tyson

CLARK HILL PLC

Georgia Bar No. 515411

3630 Peachtree Road, NE

Suite 550

Atlanta, Georgia 30326

678-370-4377

btyson@clarkhill.com

## CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1D and 5.1(B), I hereby certify that this Motion to Dismiss has been prepared using Century Schoolbook 13-point font and otherwise complies with the formatting requirements of the Local Rules of this Court.

*/s/ Mark Pinkert* \_\_\_\_\_  
Mark Pinkert, Esq.  
Counsel for Milstein Defendants

**CERTIFICATE OF SERVICE**

I certify that on August 20, 2025, a copy of the foregoing was filed with the Clerk of the Court using the Court's electronic filing system, which will send a copy to all counsel of record.

/s/ Mark Pinkert  
Mark Pinkert, Esq.  
Counsel for Milstein Defendants