## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF NORTH CAROLINA DURHAM DIVISION

AMY BRYANT, MD,	)
Plaintiff,	) )
v.	) Case No. 1:23-cv-77
JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina, <i>et al.</i> ,	) ) DEFENDANTS BERGER AND ) MOORE RULE 12(b)(6) ) MOTION TO DISMISS
Defendants.	)

Defendants Philip E. Berger, President *Pro Tempore* of the North Carolina Senate, and Timothy K. Moore, Speaker of the North Carolina House of Representatives, move to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), in compliance with the Court's Order allowing them to intervene and file an answer or otherwise respond, and ask this Court to dismiss all claims against all parties. The grounds in support of this Motion are set forth in the contemporaneously filed accompanying Memorandum.

Respectfully submitted this 24th day of March, 2023.

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<sup>\*</sup> This email address must be used in order to effectuate service under Rule 5 of the North Carolina Rules of Civil Procedure.

<sup>\*\*</sup> Email address to be used for all communications other than service.

<sup>\*\*\*</sup> Special appearance granted.

## CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

and Berger

/s/ W. Ellis Boyle
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