UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

NICHOLAS E. F	PURPURA, et al.,)	
	Plaintiffs,))) Case No. 3:10-CV-04814 (FLW)
V.)	Motion Day: February 22, 2011
KATHLEEN SE	BELIUS et al,		
	Defendants.))	

DEFENDANTS' NOTICE OF MOTION AND MOTION TO DISMISS

Defendants, Kathleen Sebelius, Secretary of Health and Human Services, Timothy Geithner, Secretary of the Treasury, and Hilda Solis, Secretary of Labor, move to dismiss plaintiffs' complaint in its entirety under Federal Rule of Civil Procedure 12. Attached are a Memorandum in Support of the Motion to Dismiss and a proposed order.

DATED: January 17, 2011

Respectfully submitted,

TONY WEST Assistant Attorney General

IAN HEATH GERSHENGORN Deputy Assistant Attorney General

PAUL J. FISHMAN United States Attorney

District of New Jersey

JENNIFER RICKETTS
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s/ Ethan P. Davis
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