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MONTANA FIRST JUDICIAL DISTRICT COURT, COUNTY OF LEWIS & CLARK

<p>ALL FAMILIES HEALTHCARE; BLUE MOUNTAIN CLINIC; AND HELEN WEEMS MSN APRN-FNP, on behalf of themselves, their employees, and their patients,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>STATE OF MONTANA; MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; and CHARLIE BRERETON, in his official capacity as Director of the Department of Public Health and Human Services,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">Cause No. DV-23-592 Hon. Christopher Abbott</p> <p style="text-align: center;">DEFENDANTS’ MONT. R. CIV. P. 12(b)(6) MOTION TO DISMISS</p>
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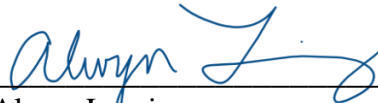
Defendants State of Montana, Montana Department of Public Health and Human Services, and Charlie Brereton, in his official capacity as Director of the Department of Public Health and

Human Services (collectively, “Defendants”), respectfully move this Court under Mont. R. Civ. P. 12(b)(6) to dismiss without prejudice all claims in Plaintiffs’ Complaint dated September 1, 2023. This Motion is supported by an accompanying brief.

Pursuant to Unif. Dist. Ct. R. 2(a), counsel for Defendants contacted counsel for Plaintiffs regarding this Motion and Plaintiffs oppose the Motion.

DATED this 22nd day of September, 2023.

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CERTIFICATE OF SERVICE

I, Alwyn T. Lansing, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to Dismiss to the following on 09-22-2023:

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Electronically signed by Deborah Bungay on behalf of Alwyn T. Lansing

Dated: 09-22-2023