

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

The State of Missouri, *et al.*,

Plaintiffs,

v.

President Joseph R. Biden, Jr., in his official
capacity as President of the United States of
America, *et al.*,

Defendants.

Civil Action No. 22-cv-1213

**DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT-MATTER
JURISDICTION AND FAILURE TO STATE A CLAIM**

For the reasons stated in the accompanying memorandum, Defendants hereby move, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss Plaintiffs' Second Amended Complaint for lack of subject-matter jurisdiction and failure to state a claim.

Dated: November 22, 2022

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

JAMES J. GILLIGAN
Special Litigation Counsel, Federal Programs Branch

/s/ Kyla Snow

ADAM D. KIRSCHNER (IL Bar No. 6286601)

Senior Trial Counsel

KYLA SNOW (OH Bar No. 96662)

INDRANEEL SUR (D.C. Bar No. 978017)

Amanda K. CHUZI (D.C. Bar. No. 1738545)

Trial Attorneys

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, NW

Washington D.C. 20005

Tel: (202) 514-3259

kyla.snow@usdoj.gov

Attorneys for Defendants