

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

HANS MOKE NIEMANN,

Plaintiff,

vs.

SVEN MAGNUS ØEN CARLSEN A/K/A  
MAGNUS CARLSEN; PLAY MAGNUS AS,  
D/B/A PLAY MAGNUS GROUP;  
CHESS.COM, LLC; DANIEL RENSCH A/K/A  
“DANNY” RENSCH; AND HIKARU  
NAKAMURA,

Defendants.

Case No: 4:22-cv-01110-AGF

Hon. Audrey G. Fleissig

**DEFENDANT MAGNUS CARLSEN’S MOTION TO DISMISS THE  
SECOND AMENDED COMPLAINT UNDER CONNECTICUT GENERAL  
STATUTES SECTION 52-196A AND FEDERAL RULE OF CIVIL PROCEDURE 12(B)(6)**

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Pursuant to Connecticut General Statutes § 52-196a and Federal Rule of Civil Procedure 12(b)(6), Defendant Magnus Carlsen respectfully moves to dismiss with prejudice each of the six claims asserted against him in the Second Amended Complaint (ECF No. 75) filed by Plaintiff Hans Niemann.

As set forth more fully in the accompanying Memorandum of Law in Support of Defendant Magnus Carlsen's Motion to Dismiss the Second Amended Complaint Under Connecticut General Statutes Section 52-196a and Federal Rule of Civil Procedure 12(b)(6), Niemann's claims fail under both Connecticut's anti-Strategic Lawsuits Against Public Participation ("anti-SLAPP") statute and Federal Rule of Civil Procedure 12(b)(6). As a matter of law, his state-law claims against Carlsen (Counts I, II, V and VI) are barred by Connecticut's anti-SLAPP statute. They also should be dismissed under Federal Rule 12 because Niemann has not alleged—and cannot allege—facts to support them. Niemann's federal antitrust claims (Counts III and IV) also fail under Federal Rule 12 because, as set forth in more detail in the motion to dismiss and accompanying memorandum of law of Chess.com, LLC ("Chess.com"), which Carlsen joins and incorporates by reference, Niemann has failed to allege the elements required to state such claims.

In support of this Motion, Carlsen relies on the accompanying Memorandum of Law, Chess.com's motion to dismiss and accompanying memorandum of law, and all pleadings in this action.

WHEREFORE, Carlsen respectfully requests that this Court (1) grant this Motion and dismiss with prejudice each of Niemann's six claims against Carlsen, (2) award Carlsen his attorneys' fees and costs in connection with this motion under Connecticut's anti-SLAPP statute, and (3) award all other relief the Court deems just and proper.

Dated: January 24, 2023

**STINSON LLP**

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Respectfully submitted,

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*Counsel for Defendant Magnus Carlsen*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 24, 2023, the foregoing was filed electronically using the CM/ECF system which will automatically provide notice to all attorneys of record by electronic means.

Dated: January 24, 2023

Respectfully submitted,

**AXINN, VELTROP & HARKRIDER LLP**

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