

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NORTHERN VIRGINIA HEMP AND)
AGRICULTURE LLC, <i>et al.</i> ,)
)
Plaintiffs,)
)
v.)
)
THE COMMONWEALTH OF)
VIRGINIA, <i>et al.</i> ,)
)
Defendants.)

Case No. 1:23-cv-01177-LMB-IDD

**DEFENDANTS’ MOTION TO DISMISS THE AMENDED COMPLAINT
FOR LACK OF JURISDICTION AND FAILURE TO STATE A CLAIM**

COME NOW Defendants, by and through counsel, and pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), respectfully submit this Motion to Dismiss the Amended Complaint for Lack of Jurisdiction and Failure to State a Claim. Because Plaintiffs lack standing to bring many of their claims, and because the allegations in the Complaint do not make out any cause of action upon which relief can be granted against the named Defendants, this Court should dismiss the Amended Complaint in its entirety. This Motion is supported by the Memorandum of Law that is filed contemporaneously herewith and incorporated herein by reference.

WHEREFORE, Defendants ask this Court to enter an order granting their Motion to Dismiss, dismiss with prejudice all of Plaintiffs’ claims against them, and grant such other and further relief as the Court may deem appropriate.

Dated: October 17, 2023

Respectfully submitted,

/s/ Benjamin L. Hatch
Benjamin L. Hatch

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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of October, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send a notification of such filing (NEF) to all counsel of record as follows:

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