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

MAYA PARIZER, et al.,	:
	:
Plaintiffs,	:
	:
	:
V.	:
	:
AJP EDUCATIONAL FOUNDATION,	:
INC., et al.,	:
	:
Defendants.	:

Civil No. 1:24-00724-RDA-IDD

DEFENDANT WESPAC FOUNDATION, INC.'S MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

COMES NOW Defendant WESPAC Foundation, Inc. ("WESPAC"), by counsel, pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(2), and 12(b)(6), and hereby files this Motion to Dismiss Plaintiffs' First Amended Complaint for lack of jurisdiction and failure to state a claim upon which relief can be granted. In support thereof, Defendant WESPAC respectfully refers this Court to its Memorandum of Points and Authorities, which is adopted and incorporated herein by reference.

WHEREFORE, Defendant WESPAC respectfully requests this Court grant its Motion and dismiss Plaintiffs' First Amended Complaint in its entirety, with prejudice.

DATE: September 12, 2024

Respectfully submitted,

/s/Felicity A. McGrath Felicity A. McGrath, VSB #41708 James Hittinger, VSB #81728 Kiernan Trebach LLP 1233 20th Street, N.W., Eighth Floor Washington, D.C. 20036 (202) 712-7000 (202) 712-7100 Fax fmcgrath@kiernantrebach.com jhittinger@kiernantrebach.com Attorneys for Defendant WESPAC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of September, 2024, a copy of the foregoing *Defendant WESPAC Foundation's Motion to Dismiss, Memorandum of Points and Authorities in Support, and Proposed Order* were electronically filed via CM/ECF, which will send notice to all counsel of record.

/s/ Felicity A. McGrath Felicity A. McGrath