IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

JEFFREY RYAN FENTON,

Plaintiff,

v.

VIRGINIA LEE STORY, et. al.

Defendants.

Case No. 1:23-CV-01097-PLM-RSK

RUBIN LUBLIN TN, PLLC'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

COMES NOW, Rubin Lublin TN, PLLC ("Rubin Lublin"), and pursuant to Fed. R. Civ. P. 12(b)(2), (3), and (6) moves this Court to dismiss all claims against it in the Complaint, *see* PageID.4870-4972, *generally*, for lack of personal jurisdiction, improper venue, insufficiency of service of process and failure to state a claim upon which relief can be granted. In support of its Motion, Rubin Lublin is contemporaneously filing its Memorandum of Law in Support of this Motion to Dismiss.

WHEREFORE, Rubin Lublin respectfully prays for the following relief:

1. That this Court grant its Motion to Dismiss upon a finding that this Court lacks personal jurisdiction over Rubin Lublin;
2. That this Court grant its Motion to Dismiss upon a finding that this action was filed in an improper venue and transfer of this case is not in the interest of justice;
3. That this Court grant its Motion to Dismiss upon a finding that there has been no service of process against Rubin Lublin and Rubin Lublin is subject to dismissal pursuant to Fed. R. Civ. P. 4(m);

4. That this Court grant its Motion to Dismiss upon a finding that the Complaint fails to state a claim upon which relief can be granted; and
5. For such other relief that this Court deems just and proper.

Respectfully submitted, this 24th day of September, 2024.

/s/ Bret J. Chaness
BRET J. CHANESS (720572)
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Attorneys for Rubin Lublin TN, PLLC

CERTIFICATE OF SERVICE

I hereby certify that I have, this 24th day of September 2024, filed the within and foregoing via CM/ECF, which will serve electronic notice on all parties pursuant to LCivR 5.7. It further certified that I have, this 24th day of September, 2024, served the Plaintiff in this matter with the within and foregoing by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

Jeffrey Fenton
17915 Silver Parkway #150
Fenton, Michigan 48430

/s/ Bret J. Chaness
BRET J. CHANESS (720572)