

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Pharmaceutical Research and
Manufacturers of America,

Case No. 0:20-cv-01497-DSD-DTS

Plaintiff,

v.

Stuart Williams, Stacey Jasley, Mary
Phipps, Andrew Behm, James Bialke, Amy
Paradis, Rabih Nahas, Samantha Schirmer,
and Kendra Metz, in their official
capacities as members of the Minnesota
Board of Pharmacy; and Nate Clark, Peter
Benner, Suyapa Miranda, David Fisher,
Jodi Harpstead, Phil Norrgard, Stephanie
Stoffel, and Andrew Whitman, in their
official capacities as members of the Board
of MNsure,

**DEFENDANTS' MOTION
TO DISMISS**

Defendants.

Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), Defendants respectfully move the Court for an order dismissing all claims in Plaintiff Pharmaceutical Research and Manufacturers of America's complaint for lack of subject-matter jurisdiction and for failing to state a claim upon which relief can be granted.

This motion is based on a memorandum of law to be filed in accordance with the parties' agreement approved by the Court, and on all the files, records, and proceedings herein.

Dated: July 22, 2020

Respectfully submitted,

KEITH ELLISON
Attorney General
State of Minnesota

s/ Sarah L. Krans

SARAH L. KRANS
Assistant Attorney General
Atty. Reg. No. 0338989

LEAH M. TABBERT
Assistant Attorney General
Atty. Reg. No. 0398259

445 Minnesota Street, Suite 1400
St. Paul, Minnesota 55101-2131
(651) 757-1273 (Voice)
(651) 297-1235 (Fax)
sarah.krans@ag.state.mn.us
leah.tabbert@ag.state.mn.us

ATTORNEYS FOR DEFENDANTS

#4757485-v1