

1 Steven L. Krongold (State Bar No. 125952)  
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3 **A PROFESSIONAL CORPORATION**  
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5 Attorney for Defendant  
6 **MARY HUDSON-MCKINNEY**

7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**  
9 **WESTERN DIVISION—FIRST STREET COURTHOUSE**

10  
11 **TAMARA EICHELBERGER,**  
12 **Plaintiff,**

13 **v.**

14 **MARY HUDSON-MCKINNEY,**  
15 **WESTERN UNIVERSITY OF HEALTH**  
**SCIENCES, and DOES 1 - 10, inclusive,**  
16 **Defendants.**

Case No. 2:22-cv-00663-MCS-SK  
Hon. Mark C. Scarsi, Ctrm. 7C

**NOTICE OF MOTION AND  
MOTION TO DISMISS  
COMPLAINT FOR FAILURE TO  
STATE A CLAIM FOR RELIEF**

[Fed.R.Civ.Proc. 12(b)(6)]

Date: June 20, 2022  
Time: 9:00 a.m.  
Ctrm: 7C

Complaint filed: 1/31/2022  
Trial date: Not set

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1 TO PLAINTIFF AND ALL INTERESTED PARTIES:

2 NOTICE IS HEREBY GIVEN that on June 20, 2022, at 9:00 a.m., or as soon  
3 thereafter as the matter may be heard, in Courtroom 7C of the above-entitled court,  
4 located at the First Street Courthouse, 350 W. 1st Street, 7th Floor, Los Angeles,  
5 California 90012, Defendant MARY HUDSON-MCKINNEY (Defendant) will and  
6 hereby does move to dismiss the complaint in the above-entitled action, pursuant to  
7 Rule 12(b)(6) of the Federal Rules of Civil Procedure, on grounds the complaint  
8 fails to state a claim for relief.

9 This motion is made following the conference of counsel pursuant to Local  
10 Rule 7-3 which took place on May 17, 2022.

11 The motion will be based on this Notice, the Memorandum of Points and  
12 Authorities, the Request for Judicial Notice, and attached exhibits filed herewith,  
13 any supplemental briefs of the parties, the records, files and pleadings in the above-  
14 entitled action, and such further and additional evidence and argument as may be  
15 presented to the Court at or before the hearing on the motion.

16 Dated: 5/23/2022

KRONGOLD LAW CORP., P.C.

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*/s/ Steven L. Krongold*

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By: \_\_\_\_\_

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Steven L. Krongold  
Attorney for Defendant  
Mary Hudson-McKinney

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CERTIFICATE OF SERVICE

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I hereby certify that on May 23, 2022, I electronically filed NOTICE OF MOTION AND MOTION TO DISMISS COMPLAINT FOR FAILURE TO STATE A CLAIM FOR RELIEF; MEMORANDUM OF POINTS AND AUTHORITIES; AND REQUEST FOR JUDICIAL NOTICE IN SUPPORT THEREOF with the Clerk of Court using ECF which will send notification of such filing(s) to the following:

- Hannah E Brown: hbrown@grsm.com, aaroyan@grsm.com, sdaubert@grsm.com
- A. Eric Bjorgum: marc.karish@kb-ip.com, eric.bjorgum@kb-ip.com
- Marc Karish: marc.karish@kb-ip.com
- A. Louis Dorny: ldorny@gordonrees.com, efacundo@gordonrees.com, ldorny@grsm.com

Notice has been delivered by First Class U. S. Mail or by other means to the following:

None.

*/s/ Steven L. Krongold*

DATED: 5/23/2022

\_\_\_\_\_  
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