

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sue Ann Adams, Patricia J. Pettenger, and
Marla K. Snead, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

U.S. Bancorp, the Benefits Administration
Committee, and John/Jane Does 1-5,

Defendants.

Case No. 0:22-CV-00509-NEB-BRT

**DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT AND STRIKE PLAINTIFFS' CLASS
ALLEGATIONS**

Defendants U.S. Bancorp and the Benefits Administration Committee (collectively, "Defendants"), by and through their attorneys and pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f) and Local Rule 7.1, respectfully move this Court to dismiss Plaintiffs' Complaint (Dkt. 1) because Plaintiffs have failed to state a claim upon which relief may be granted. Defendants also respectfully move this Court to strike the class allegations from Plaintiffs' Complaint. In support of this Motion, Defendants submit the accompanying Memorandum of Law and Declaration of Melissa D. Hill and supporting exhibits.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law, Defendants respectfully request that the Court grant such Motion and dismiss the Complaint in its entirety with prejudice.

Dated: May 23, 2022

Respectfully submitted,

By: /s/ Melissa D. Hill

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CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2022, the foregoing document was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system, including below counsel for Plaintiffs. Parties may access this filing through the Court's ECF system:

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