

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

CARL OLSEN,)	
)	
Plaintiff,)	
)	
v.)	Civil File No. 4:08-cv-00370 (RWP/RAW)
)	
MICHAEL MUKASEY, Attorney General of)	FEDERAL DEFENDANTS’ MOTION TO
the United States, MICHELE LEONHART,)	DISMISS
Acting Administrator, United States Drug)	
Enforcement Administration, and)	
CONDOLEEZZA RICE, United States)	
Secretary of State.)	
)	
Defendants.)	

FEDERAL DEFENDANTS’ MOTION TO DISMISS

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Federal Defendants Michael Mukasey, Attorney General of the United States, Michele Leonhart, Acting Administrator of the United States Drug Enforcement Agency, and Condoleezza Rice, Secretary of State (“Federal Defendants”), respectfully move this Court for an order dismissing this action for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. The grounds in support of this motion are set out more fully in the attached memorandum.

A proposed order is attached.

Dated: November 17, 2008

Respectfully submitted,

GREGORY G. KATSAS
Assistant Attorney General
Civil Division

MATTHEW G. WHITAKER
United States Attorney

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/s/ Christopher D. Hagen
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CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2008, a true and accurate copy of the foregoing document, Defendants' Motion to Dismiss, was filed electronically with the Clerk of Court through ECF and that ECF will send a Notice of Electronic Filing to the following:

Carl Olsen

/s/ Christopher D. Hagen
Christopher D. Hagen
Assistant U.S. Attorney