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14 Attorneys for Defendants
MEGAN REILLY, ILEANA DAVOLOS,
15 GEORGE MCKENNA, MONICA GARCIA,
SCOTT SCHMERELSON, NICK MELVOIN,
16 JACKIE GOLDBERG, KELLY GONEZ AND
TANYA ORTIZ FRANKLIN
17

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

20 HEALTH FREEDOM DEFENSE FUND,
21 INC., a Wyoming Not-for-Profit Corporation;
CALIFORNIA EDUCATORS FOR
22 MEDICAL FREEDOM, an unincorporated
association; MIGUEL SOTELO; MARIEL
23 HOWSEPIANRODRIGUEZ; JEFFREY
FUENTES; SANDRA GARCIA; and
24 HOVHANNES SAPONGHIAN; NORMA
BRAMBILA,

25 Plaintiffs,

26 v.

27 MEGAN K. REILLY, in her official capacity
as Interim Superintendent of the Los Angeles
28 Unified School District; ILEANA

Case No. 2:21-cv-08688 DSF-PVCx

Hon. Dale S. Fischer

**DEFENDANTS' NOTICE OF
MOTION FOR JUDGMENT ON
THE PLEADINGS**

[Filed concurrently with
Defendant's Memorandum of Points
& Authorities Iso Motion for
Judgment on the Pleadings,
Declaration of Carrie Stringham Iso
Motion for Judgment on the
Pleadings; and (Proposed) Order]

1 DAVALOS, in her official capacity as Chief
2 Human Resources Officer for the Los
3 Angeles Unified School District; GEORGE
4 MCKENNA, MONICA GARCIA, SCOTT
5 SCHMERELSON, NICK MELVOIN,
6 JACKIE GOLDBERG, KELLY GONEZ, and
7 TANYA ORTIZ FRANKLIN, in their official
8 capacities as members of the Los Angeles
9 Unified School District governing board,
10
11 Defendants.

Date: September 12, 2022
Time: 1:30 p.m.
Courtroom: 7D

Trial Date: TBD
Complaint filed: November 3, 2021

7 **TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF**
8 **RECORD:**

9 **PLEASE TAKE NOTICE** that on September 12, 2022, at 1:30 p.m., or as soon
10 thereafter as this matter may be heard by the Honorable Dale S. Fischer, of the United
11 States District Court, Central District of California, Defendants MEGAN REILLY,
12 ILEANA DAVOLOS, GEORGE MCKENNA, MONICA GARCIA, SCOTT
13 SCHMERELSON, NICK MELVOIN, JACKIE GOLDBERG, KELLY GONEZ AND
14 TANYA ORTIZ FRANKLIN ("Defendants"), will and hereby do move the Court for
15 judgment on the pleadings as to each of the seven causes of action asserted in Plaintiffs
16 HEALTH FREEDOM DEFENSE FUND, INC., CALIFORNIA EDUCATORS FOR
17 MEDICAL FREEDOM, MIGUEL SOTELO, JEFFREY FUENTES, SANDRA
18 GARCIA, HOVHANNES SAPONGHIAN, and NORMA BRAMBILA's ("Plaintiffs")
19 Complaint.

20 This motion is made following the conference of counsel pursuant to L.R. 7-3.
21 See Declaration of Carrie A. Stringham in Support of Defendants' Motion for Judgment
22 on the Pleadings, ¶¶ 3-4.

23 This motion is made pursuant to Federal Rule of Civil Procedure 12(c) on the
24 grounds that Plaintiff's first, second, third, fourth, fifth, sixth, and seventh causes of
25 action fail as the court does not have jurisdiction over Defendants based on their
26 Eleventh Amendment Sovereign Immunity and each of the claims fail to allege
27 sufficient facts upon which relief can be granted.
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This motion will be based upon this Notice of Motion and Motion, the concurrently filed and served Memorandum of Points and Authorities in support thereof, the Declaration of Carrie A. Stringham and exhibit attached thereto, the papers and pleadings on file in this case, and any oral argument that may be heard on the motion.

Dated: July 29, 2022

LITTLER MENDELSON, P.C.

/s/Carrie A. Stringham

Connie L. Michaels
Carrie A. Stringham

Attorneys for Defendants
MEGAN REILLY, ILEANA DAVOLOS,
GEORGE MCKENNA, MONICA
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