

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SCOTT SOLOMON,)
)
 Plaintiff,)
)
 v.)
)
 AMERICAN FEDERATION OF STATE,)
 COUNTY AND MUNICIPAL EMPLOYEES,)
 DISTRICT COUNCIL 37, AFL-CIO,)
)
 Defendant.)
 _____)

No. 2:19-cv-06823-GBD
Hon. George B. Daniels

**NOTICE OF MOTION
TO DISMISS**

PLEASE TAKE NOTICE, that upon Plaintiff's Complaint (ECF No. 6), dated July 24, 2019, and the accompanying Memorandum of Law, Defendant American Federation of State, County and Municipal Employees, District Council 37, AFL-CIO ("AFSCME District Council 37") shall move this Court before the Honorable George B. Daniels, United States District Judge, United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, Courtroom 11A, New York, New York 10007, for an order pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure dismissing the Complaint for lack of subject-matter jurisdiction, failure to state a claim upon which relief can be granted, and for such other and further relief deemed just and proper.

Respectfully submitted,

/s/ Jacob Karabell
Jacob Karabell (admitted *pro hac vice*)
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Counsel for Defendant AFSCME District Council 37

Dated: May 26, 2020

CERTIFICATE OF SERVICE

I, Jacob Karabell, an attorney, hereby certify that on May 26, 2020, I caused the foregoing Notice of Motion to Dismiss to be filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. I further certify that as of May 26, 2020, there are no nonregistered participants upon whom service by U.S. Mail is required.

/s/ Jacob Karabell
Jacob Karabell