

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

Teche Vermilion Sugar Cane)	
Growers Association Inc., <i>et al.</i> ,)	
<i>Plaintiffs,</i>)	No. 6:23-cv-831-RRS-CBW
)	
v.)	
Julie A. Su, <i>et al.</i> ,)	
<i>Defendants.</i>)	

Defendants’ Motion To Dismiss the Amended Complaint

Defendants, through their undersigned counsel, hereby move to dismiss the new allegations contained in the Amended Complaint, ECF 35, for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6). In support of this motion, Defendants state as follows.

Defendants Partial Motion to Dismiss the Complaint (ECF 32) remains pending, and Defendants do not abandon any of the arguments therein;

Plaintiffs filed an Amended Complaint consisting of three paragraphs they wished to add to the original Complaint. ECF 35. The three paragraphs contain new allegations regarding Plaintiffs Regulatory Flexibility Act claim. Defendants moved to dismiss the original claim in their Motion to Dismiss.

Defendants now move to dismiss the additional allegations. The allegations consistent of incorrect legal conclusions, implausible allegations, and pure speculation, and should be dismissed.

Accordingly, and as set forth in more detail in Defendants' accompanying memorandum of law, Defendants respectfully request that this Court dismiss Plaintiffs Amended Complaint pursuant to 12(b)(6).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was filed electronically using the CM/ECF system and served on counsel of record via that system.

Dated: September 29, 2023

s/ Alexandra McTague
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