

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**STEPHEN M. SHAPIRO, et al.,**

\*

*Plaintiffs,*

\*

v.

\* Civil Action JKB-13-3233

**DAVID J. McMANUS, et al.,**

\*

*Defendants.*

\*

\* \* \* \* \*

**DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' SECOND AMENDED COMPLAINT**

For the reasons stated in the accompanying memorandum, defendants David J. McManus, Jr., and Linda H. Lamone, sued in their official capacities, move to dismiss the plaintiffs' second amended complaint (ECF No. 44), pursuant to Federal Rule of Civil Procedure 12(b)(6), for failure to state a claim on which relief can be granted.

A proposed order is attached.

Respectfully submitted,

BRIAN E. FROSH  
Attorney General of Maryland

\_\_\_\_\_/s/ Jennifer L. Katz\_\_\_\_\_  
JENNIFER L. KATZ, Bar No. 28973  
JEFFREY L. DARSIE, Bar No. 19485  
Assistant Attorneys General  
200 Saint Paul Place, 20th Floor  
Baltimore, Maryland 21201  
jkatz@oag.state.md.us

jdarsie@oag.state.md.us  
(410) 576-7005  
(410) 576-6955 (facsimile)

April 20, 2016

Attorneys for Defendants