UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

DEBRA M. ADAMS, DANILLIE L. MARS, MICHELLE L. MILLER and ANITA W. DAME, individually on behalf of all others similarly situated,))))	
Plaintiffs,)	
v.)	Civil Case No. 1:22-cv-00099-LM
DARTMOUTH-HITCHCOCK CLINIC,)	
THE BOARD OF TRUSTEES OF)	
DARTMOUTH-HITCHCOCK CLINIC,)	
THE ADMINISTRATIVE INVESTMENT)	
OVERSIGHT COMMITTEE OF)	
DARTMOUTH-HITCHCOCK CLINIC and)	
JOHN DOES 1-30.)	
)	
Defendants.)	
)	
)	

DEFENDANTS' MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12, Defendants Dartmouth-Hitchcock Clinic, Board of Trustees of Dartmouth-Hitchcock Clinic, and the Administrative Investment Oversight Committee of Dartmouth-Hitchcock Clinic (collectively, "Defendants"), by and through their undersigned attorneys, hereby move to dismiss the Complaint (Dkt. 1) in its entirety for failure to state a claim upon which relief may be granted and, with respect to Plaintiffs' investment management fee challenges, for failure to allege facts sufficient to establish standing.

This Motion is based on the Memorandum in Support of Defendants' Motion To Dismiss, filed contemporaneously in accordance with Local Rule 7.1(a)(2), the Declaration of Jed W. Glickstein and exhibits attached thereto, the pleadings, papers and records in this action, any matters of

which this Court shall take judicial notice, and such further evidence or argument as the Defendants may present prior to or at any hearing. Given the dispositive nature of the relief sought herein, no concurrence from the opposing party is necessary. L.R. 7.1(c).

Request for Hearing

Pursuant to Local Rule 7.1(d), Defendants request a hearing on their motion. Defendants believe that a hearing will be useful to aid the Court in resolving the dispositive issues raised herein.

Dated: May 31, 2022 Respectfully submitted,

DARTMOUTH-HITCHCOCK CLINIC, THE BOARD OF TRUSTEES OF DARTMOUTH-HITCHCOCK CLINIC, AND THE ADMINISTRATIVE INVESTMENT OVERSIGHT COMMITTEE OF DARTMOUTH-HITCHCOCK CLINIC,

By their attorneys,

By: /s/ Nancy G. Ross
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing(s) to all those registered with the ECF system.

/s/ Kathleen M. Mahan
Kathleen M. Mahan, Esq.