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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

SERVICE EMPLOYEES

INTERNATIONAL UNION, *et al.*,

Plaintiffs,

v.

MICHAEL CHERTOFF, *et al.*,

Defendants.

Civil No. CV 07-1286-MO

**DEFENDANTS' MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

REQUEST FOR ORAL ARGUMENT

Defendants, by and through Karin J. Immergut, United States Attorney for the District of Oregon; James E. Cox, Jr., Assistant United States Attorney for the District of Oregon; David Kline, Principal Deputy Director; Joshua Braunstein, Senior Litigation Counsel for the Office of Immigration Litigation; and Kathryn Moore, Trial Attorney for the Office of Immigration Litigation, move to dismiss all claims asserted against the United States in this action pursuant to Fed. R. Civ. P. 12(b)(6). This Motion is based on the supporting Memorandum of Law, along with all pleadings and papers of record herein, and such further argument as the Court may entertain at the hearing of this Motion.

Pursuant to Local Rule 7.1, Defendants' counsel discussed this motion with Plaintiffs' counsel. Plaintiffs' counsel informed Defendants' counsel that Plaintiffs oppose this Motion.

Dated this 29th day of October, 2007.

Respectfully submitted,

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