

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

HAITIAN-AMERICANS UNITED, INC.,
et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United
States in his Official Capacity, *et al.*,

Defendants.

Civil Action No. 1:20-cv-11421-DPW

DEFENDANTS' MOTION TO DISMISS

Defendants hereby move the Court, pursuant to the Court's Scheduling Order, Doc. 16, and Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss this action for lack of subject-matter jurisdiction and for failure to state a claim upon which relief can be granted.

For the reasons stated in Defendants' contemporaneously filed memorandum of law, Defendants respectfully request that the Court dismiss this action.

REQUEST FOR ORAL ARGUMENT

Given the nature of the issues presented, Defendants believe that oral argument may assist the Court in adjudicating their motion. Accordingly, Defendants request oral argument on this motion to dismiss.

LOCAL RULE 7.1(a)(2) CERTIFICATION

Undersigned counsel hereby certifies, in compliance with Local Rule 7.1(a)(2), that counsel for Defendants conferred with counsel for Plaintiffs in a good-faith attempt to resolve or narrow the issues presented by this motion.

DATED: October 7, 2020

Respectfully submitted,

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