

**THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**ELIZABETH K. DALY,**

**Plaintiff,**

**v.**

**Case No. 3:14cv250-HEH**

**COMMONWEALTH OF VIRGINIA, *et al.*,**

**Defendants.**

**DEFENDANTS' MOTION TO DISMISS**

COME NOW Defendants, Commonwealth of Virginia, and Department of Alcoholic Beverage Control Special Agents Andrew T. Covey, Armon Brown, John Cielakie, Lauren E. Blanks, Jonathan R. Pine, Kevin D. Weatherholtz, and John L. Taylor, by counsel, pursuant to Rule 12 (b) (6) of the Federal Rules of Civil Procedure, and move to dismiss all of the claims in this matter, with prejudice, for the reasons set forth in the accompanying Brief in Support.

Respectfully submitted,  
Commonwealth of Virginia, Andrew T. Covey,  
Armon Brown, John Cielakie, Lauren E. Blanks,  
Jonathan R. Pine, John L. Taylor, and  
Kevin D. Weatherholtz

By: \_\_\_\_/s/Catherine Crooks Hill\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 15th day of April 2014, I filed the foregoing document with the Clerk of Court using the CM/ECF system, which will automatically send a notice of electronic filing (NEF) to James Broome Thorsen, Esquire and John K. Honey, Jr., Marchant, Thorsen, Honey, Baldwin & Meyer, LLP, 5600 Grove Avenue, Richmond, Virginia 23226, Counsel for Plaintiff. I hereby certify that I also served the foregoing by hand delivery to Counsel for Plaintiff.

\_\_\_\_\_/s/Catherine Crooks Hill\_\_\_\_\_  
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