

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

MAR 3 11 P 4: 42

BRUCE AND WENDY ANDERSON,)
Plaintiffs,)
vs.)
AMWAY/QUIXTAR, INC., a corporation,)
MICHAEL YOUNG MCCORMICK,)
DONALD E. CHRISTOPHER,)
HAL GOOCH)
Defendants.)

CASE NO.: 3:07-CV-844-J-25JRK

MOTION FOR FOR LEAVE TO JOIN MOTIONS TO DISMISS

COMES NOW Defendant Michael Y. McCormick, and respectfully prays the Court for leave allowing him to join in the motions to dismiss under Rule 12(b)(6) filed by the other defendants in this case. In support of his motion, Defendant Michael McCormick respectfully states as follows:


1. Defendant McCormick only just today learned of the Court's order of February 12, 2008, in which the Court granted Defendant McCormick leave to join in the other defendants' motions to dismiss for failure to state a claim or to file his own motion. Being a pro se party, Defendant McCormick does not have an ECF and he was not served with a copy of the Court's order.

2. Defendant McCormick wishes to join the Rule 12(b)(6) motions to dismiss for failure to state a claim filed by Defendants Gooch, Christopher and Quixtar, and hereby adopts by reference herein the grounds stated in those motions as if made with reference to the claims asserted against defendant McCormick.

3. Plaintiffs will not be unduly prejudiced by allowing Defendant McCormick to join in the other defendants' motions because it should not be necessary for Plaintiffs to file any response with respect to Defendant McCormick. Their responses to the Gooch, Christopher and Quixtar motions would serve as a response to Defendant McCormick's motion.

WHEREFORE, Defendant Michael Y. McCormick respectfully requests the Court to grant him leave to join the motions to dismiss filed by Defendants Gooch, Christopher, and Quixtar and further requests the Court to dismiss Plaintiffs' complaint in its entirety as to defendant McCormick, upon the grounds stated in the motions to dismiss filed by Defendants Gooch, Christopher, and Quixtar.

Respectfully submitted

By: 

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DEFENDANT

CERTIFICATE OF SERVICE

The undersigned certifies that on this 28th day of February 2008, a true and correct copy of the above and foregoing document was served upon the following parties and counsel of record in accordance with the FEDERAL RULES OF CIVIL PROCEDURE by electronic filing or first-class mail:

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Michael Y. McCormick