

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DENNIS MONTGOMERY, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:17-cv-1074-RJL
)	
JAMES COMEY, <i>et al.</i> ,)	
)	
Defendants.)	

GOVERNMENT DEFENDANTS’ MOTION TO DISMISS

The Government Defendants¹ hereby move to dismiss Counts Three, Five, Seven, and Eight of Plaintiffs’ Complaint, ECF No. 1, under Federal Rule of Civil Procedure 12(b)(1) for a lack of subject-matter jurisdiction; and to dismiss Count Four under Rule 12(b)(6) for failure to state a claim.

In support of the instant Motion, the Court is respectfully referred to the Government Defendants’ Memorandum of Points and Authorities in Support of Their Motions to Dismiss and for Partial Summary Judgment and in Opposition to Plaintiffs’ Motion for Temporary Restraining Order and Preliminary Injunction.

¹ The Government Defendants are the Federal Bureau of Investigation (“FBI”), the Central Intelligence Agency (“CIA”), and the National Security Agency (“NSA”), and the following current and former government officials sued in their official capacity: former President Barack Obama, Director of National Intelligence (“DNI”) Daniel Coats, former DNI James Clapper, CIA Director Mike Pompeo, former CIA Director John Brennan, NSA Director Michael Rogers, and former FBI Director James Comey. *See* Compl., ECF No. 1, at 1–2 (June 5, 2017).

DATED: August 1, 2017

Respectfully submitted,

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