

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division**

ALYSSA REID,

Plaintiff,

v.

JAMES MADISON UNIVERSITY, *et al.*,

Defendants.

Case No. 5:21-cv-00032-EKD

**DEPARTMENT OF EDUCATION AND
SECRETARY CARDONA'S MOTION TO DISMISS**

Defendants U.S. Department of Education and Dr. Miguel Cardona, in his official capacity as Secretary of Education, hereby move to dismiss all claims against them pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). As explained in the accompanying memorandum of law, Plaintiff lacks standing to challenge guidance documents that have long since been rescinded, and she otherwise fails to state a claim on which relief may be granted.

Dated: July 2, 2021

Respectfully submitted,

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/s/ Steven A. Myers
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*Counsel for Defendants Department of
Education and Secretary Cardona*

CERTIFICATE OF SERVICE

I hereby certify I served this document today by filing it using the Court's CM/ECF system, which will automatically notify all counsel of record.

Dated: July 2, 2021

/s/ Steven A. Myers

Steven A. Myers