UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

SARASOTA WINE MARKET, LLC, et al.,)	
Plaintiffs,)	
v.)	Case No. 4:17-cv-2792 HEA
MICHAEL L. PARSON, et al.,)	
Defendants.)	

MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

Defendants Michael L. Parson, Joshua D. Hawley, and Keith Hendrickson ("Defendants"), by and through undersigned counsel and pursuant to Fed.R.Civ. P. 12(b)(1) and 12(b)(6), hereby move to dismiss Plaintiffs' Complaint. In support of their motion, Defendants state as follows:

- 1. Plaintiff Michael Schlueter lacks standing to challenge the validity of Missouri's Liquor Control Law.
- 2. Plaintiff Heath Cordes lacks standing to challenge the validity of Missouri's Liquor Control Law.
- 3. Plaintiff Terrence French lacks standing to challenge the validity of Missouri's Liquor Control Law.

4. In the alternative to Defendants' argument regarding standing, the provisions of Missouri's Liquor Control Law challenged by Plaintiffs do not violate the Commerce Clause as alleged in Count I.

5. In the alternative to Defendants' argument regarding standing, the provisions of Missouri's Liquor Control Law challenged by Plaintiffs do not violate the Privileges and Immunities Clause as alleged in Count II.

In accordance with Local Rule 7-401, Defendants submit 5. contemporaneously herewith, a memorandum in support of this motion.

WHEREFORE, Defendants respectfully request that this Court dismiss Plaintiff's Complaint with prejudice and grant Defendants such further relief that the Court deems fair and appropriate.

Respectfully submitted.

JOSHUA D. HAWLEY

Attorney General

/s/ Katherine S. Walsh

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Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 12th day of July, 2018, a copy of the foregoing was filed via the Court's electronic filing system and was served by operation of the CM-ECF system on all counsel of record.

/s/ Katherine S. Walsh