

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

_____)	
BRADLEE DEAN, ET AL.,)	
)	
Plaintiffs,)	2011 CA 006055 B
)	
v.)	Next Event: Initial Scheduling Conference
)	October 28, 2011 at 9:30 a.m.
NBC UNIVERSAL (NBC), ET AL.,)	
)	Judge: Hon. Joan Zeldon
Defendants.)	
_____)	

SPECIAL MOTION TO DISMISS PURSUANT TO D.C. ANTI-SLAPP ACT OF 2010
AND MOTION TO DISMISS PURSUANT TO SUPER. CT. CIV. R. 12(B)(6)

Defendants NBC Universal, MSNBC and Rachel Maddow (collectively “the MSNBC parties”), by and through their respective undersigned counsel, hereby move to dismiss the Complaint in this action pursuant to the District of Columbia Anti-SLAPP Act of 2010, D.C. Code § 16-5501, et seq., on the grounds that the speech challenged in the Complaint arises from an act in furtherance of the right of advocacy on issues of public interest, and Plaintiffs cannot demonstrate that they are likely to succeed on the merits of their claims. The MSNBC parties further move to dismiss pursuant to Superior Court Civil Rule 12(b)(6) on the grounds that the Plaintiffs’ Complaint fails to state a claim upon which relief may be granted.

In support of these motions, the MSNBC parties rely upon their Memorandum of Points and Authorities and the Affidavit of Laura R. Handman with attached exhibits, filed contemporaneously herewith. The MSNBC parties respectfully request oral argument.

Superior Court Rule 12-I(a) Certification

Pursuant to Superior Court Rule 12-I(a), undersigned counsel certifies that counsel for the MSNBC parties consulted with counsel for the Plaintiffs on September 8, 2011, regarding whether Plaintiffs would consent to the relief sought herein. Plaintiffs do not consent.

Dated: September 9, 2011

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

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