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5 Attorneys for Defendants ROSEVILLE JOINT UNION  
HIGH SCHOOL DISTRICT; JAMES JOINER;  
6 R. JAN PINNEY; TONY MONETTI; STEVEN  
LAWRENCE; DONALD GENASCI; RONALD SEVERSON.  
7

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 LARRY CALDWELL,

No. 2:05-CV-00061-FCD-JFM

11 Plaintiff,  
12 vs.

**NOTICE OF MOTION TO DISMISS  
FOR LACK OF SUBJECT MATTER  
JURISDICTION; FOR FAILURE TO  
STATE A CLAIM; FOR FAILURE TO  
STATE A SHORT AND PLAIN  
STATEMENT FOR RELIEF; AND FOR  
FAILURE TO COMPLY WITH RULE  
10(a); and MEMORANDUM OF POINTS  
AND AUTHORITIES IN SUPPORT  
THEREOF**

13 ROSEVILLE JOINT UNION HIGH SCHOOL  
DISTRICT; JAMES JOINER and R. JAN  
PINNEY, in their official capacities as members  
14 of the Board of Education; TONY MONETTI,  
in his official capacity as Superintendent;  
15 STEVEN LAWRENCE in his official capacity  
as Assistant Superintendent for Curriculum and  
16 Instruction; DONALD GENASCI, in his  
official capacity as Deputy Superintendent for  
17 Personnel and Chief Compliance Officer;  
RONALD SEVERSON, in his official capacity  
18 as Principal of Granite Bay High School; and  
DOES 1-10,

**[Rule 12(b)(1); Rule 12(b)(6); Rule 8(a);  
and Rule 10(a)]**

19 Defendants.  
20 \_\_\_\_\_/

**DATE: September 23, 2005  
TIME: 10:00 a.m.  
COURTROOM: 2  
TRIAL: None Set**

21  
22 **To the Honorable Frank C. Damrell, Judge, and to all Parties and Attorneys of Record:**

23 **PLEASE TAKE NOTICE** that the defendants, ROSEVILLE JOINT UNION HIGH SCHOOL  
24 DISTRICT; JAMES JOINER; R. JAN PINNEY; TONY MONETTI; STEVEN LAWRENCE;  
25 DONALD GENASCI; and RONALD SEVERSON, on September 23, at 10:00 a.m., in Courtroom  
26 #2 of the United States District Court, Eastern District of California, 501 I Street, Sacramento,  
27 California will move this court for orders dismissing this action **FOR LACK OF SUBJECT**  
28 **MATTER JURISDICTION; FOR FAILURE TO STATE A CLAIM; FOR FAILURE TO**



