

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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Susan Doxtator, Arlie Doxtator, and  
Sarah Wunderlich, as Special  
Administrators of the Estate of Jonathon  
C. Tubby,

Plaintiffs,

Case No. 19-CV-00137

v.

Erik O'Brien, Colton Wernecke,  
Andrew Smith, John R. Gossage, Heidi  
Michel, City of Green Bay, Brown  
County, and John Does 1-10,

Defendants.

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**BROWN COUNTY DEFENDANTS' MOTION TO DISMISS**

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Defendants John R. Gossage, Heidi Michel, and Brown County ("Brown County Defendants"), by their attorneys, Crivello Carlson, S.C., and in lieu of filing an answer at this time, move the Court pursuant to Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure for an Order dismissing them from this action.

This Motion is based upon the pleadings and the Brown County Defendant's Brief in Support of their Motion to Dismiss filed contemporaneously herewith. Through this Motion, the Brown County Defendants seek the costs, disbursements, and fees of this Motion and this action.

Dated this 18<sup>th</sup> day of February, 2019.

CRIVELLO CARLSON, S.C.  
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Heidi Michel and Brown County

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