

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT  
WITHIN AND FOR THE COUNTY OF FREMONT, STATE OF WYOMING

MARY V. KIERNAN, )  
 )  
 ) Plaintiff, )  
 )  
 ) v. ) Civil Action No. 43476  
 )  
 ) UPPER LITTLE WARM SPRINGS )  
 ) ASSOCIATION, a Wyoming non-profit )  
 ) corporation, ERIKS GOODWIN, an individual, )  
 ) JAMES W. PHILLIPS, an individual, )  
 )  
 ) Defendants. )

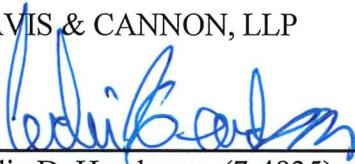
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**MOTION TO DISMISS COMPLAINT**

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Upper Little Warm Springs Association, a Wyoming non-profit corporation, by and through its undersigned counsel, Davis & Cannon, LLP, and pursuant to W.R.C.P. 12(b)(6), hereby moves this Court to dismiss all claims made against it as Plaintiff has failed to state a claim upon which relief can be granted. The grounds for this motion are set forth in the supporting brief filed herewith.

DATED this 4<sup>th</sup> day of October, 2022.

DAVIS & CANNON, LLP  
By:   
Codie D. Henderson (7-4835)  
40 South Main Street  
P.O. Box 728  
Sheridan, WY 82801  
307-672-7491 (telephone)  
307-672-8955 (facsimile)  
*codie@davisandcannon.com*

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 4<sup>th</sup> day of October, 2022, I caused a true and correct copy of the foregoing *Motion to Dismiss Complaint* to be served as follows:

Mary Kiernan  
Pro Se Plaintiff  
c/o Kelsey Good  
321 East 43<sup>rd</sup> Street, Apt 412  
New York, NY 10017  
*mvkiernan@gmail.com*

- U.S. Mail
- Fed Ex
- Facsimile
- Hand Delivered
- E-mail

Leah C. Schwartz  
Ranck & Schwartz, LLC  
20 East Simpson Avenue  
P.O. Box 3890  
Jackson, WY 83001  
*leah@ranckschwartz.com*  
*admin@ranckschwartz.com*

- U.S. Mail
- Fed Ex
- Facsimile
- Hand Delivered
- E-mail

  
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Davis & Cannon, LLP

Note: Plaintiff has consented to service by email only.