

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PAMELA SPEED, THERESA BERRY,	*	CIVIL ACTION
BRENDA HOLMES, AGNES	*	
POLLARD, BRIAN SIMMONS,	*	NO. 06-11208 "K" (2)
TRISHA THOMAS, CHRISTINE	*	
JACKSON, SONDRRA DORSEY,	*	JUDGE DUVAL
FREDERICA PALMER, AND	*	
SIMUEL MILLER	*	MAG. WILKINSON
	*	
VERSUS	*	
	*	Removed from the Civil District
CITY OF NEW ORLEANS, BY AND	*	Court for the Parish of Orleans,
THROUGH THE NEW ORLEANS	*	State of Louisiana, Division "I-14"
PUBLIC BELT RAILROAD	*	
COMMISSION, THE BURLINGTON	*	
NORTHERN AND SANTA FE	*	
RAILWAY COMPANY, BOARD OF	*	
COMMISSIONERS OF THE ORLEANS	*	
LEVEE DISTRICT	*	
*****	*	

**MOTION TO DISMISS THE CLAIMS OF THE
PLAINTIFFS PURSUANT TO F.R.C.P. RULE 12(b)(6)**

NOW INTO COURT comes defendant, the Public Belt Railroad Commission for the City of New Orleans, through undersigned counsel, and respectfully moves the court as follows:

I.

Defendant moves to dismiss the claims of the plaintiffs, pursuant to F.R.C.P. Rule 12(b)(6), because the complaint fails to state a claim against defendant upon which relief can be granted, for the reasons fully set forth in the accompanying memorandum in support of this motion.

Respectfully submitted,

HAMILTON, BROWN & BABST



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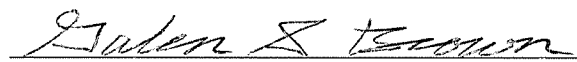
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Attorneys for Defendant, Public Belt
Railroad Commission for the City of New
Orleans

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the above and foregoing has been served upon all counsel of record by electronic notice in accordance with Local Rules to those counsel receiving electronic notice, and all others by depositing same in the United States Mail, postage prepaid and properly addressed, this 31st day of January, 2007.



GALEN S. BROWN