

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KELLIE PEARSON, ROGER BURRELL,)
BRIAN GIVENS, and THE LAW)
OFFICES OF MARK BOOKER, on)
behalf of themselves and those)
similarly situated,)

Plaintiffs,)

v.)

Case No. 18-cv-11130

THOMAS M. HODGSON,)
Individually and)
In His Official capacity as Sheriff)
Of Bristol County)

and)

SECURUS TECHNOLOGIES, INC.)

Defendants.)

SECURUS TECHNOLOGIES, INC.'S MOTION TO DISMISS

For the reasons set forth in the accompanying memorandum of law, and pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Securus Technologies, Inc. respectfully moves this Court to dismiss with prejudice Plaintiffs' Complaint.

Dated: July 20, 2018

Respectfully submitted,

By: /s/ Elizabeth Herrington
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**Admitted pro hac vice*

LOCAL RULE 7.1(A)(2) CERTIFICATION

I, Elizabeth Herrington, counsel for Securus, hereby certify that I conferred by email with counsel for Plaintiffs and attempted in good faith to narrow or resolve the issue presented in this motion, but the parties were unable to narrow the issues presented therein.

/s/ Elizabeth B. Herrington
Elizabeth B. Herrington

CERTIFICATE OF SERVICE

I, Elizabeth Herrington, hereby certify that the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 20, 2018.

/s/ Elizabeth Herrington
Elizabeth Herrington