

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

SAMUEL K. LIPARI,)	
)	
Plaintiff,)	
)	
v.)	Case No. 07-CV-00849-FJG
)	
GENERAL ELECTRIC COMPANY, et al.,)	
)	
Defendants.)	

**DEFENDANT JEFFREY IMMELT’S MOTION TO DISMISS PLAINTIFF’S
AMENDED COMPLAINT**

Defendants Jeffrey Immelt hereby moves this Court to dismiss Plaintiff Samuel Lipari’s Amended Complaint (Doc. 6), pursuant to Fed. R. Civ. P. 8 and 12(b)(6).

As is explained more fully in Defendant Immelt’s Memorandum of Law in Support of his Motion to Dismiss (which has been filed contemporaneously with this Motion), all claims within Plaintiff’s Amended Complaint must be dismissed for his wholesale failure to comply with the pleading requirements of Fed. R. Civ. P. 8(a)(2) and 8(e)(1). Additionally, Plaintiff’s federal and state law claims should be dismissed pursuant to Fed. R. Civ. P. 12(b)(6) inasmuch as Plaintiff has failed to state a cognizable claim against Mr. Immelt under either the Racketeer Influenced and Corrupt Organizations Act (RICO), the Hobbs Act or state common law.

As such, Defendant Jeffrey Immelt respectfully requests that the Court dismiss all counts within Plaintiff’s Amended Complaint with prejudice, and for such other and further relief as the Court deems just and proper.

HUSCH & EPPENBERGER, LLC

By: /s/ Michael S. Hargens

John K. Power #35312
Michael S. Hargens #51077
1200 Main Street, Suite 2300
Kansas City, MO 64105
Telephone: (816) 421-4800
Facsimile: (816) 421-0596
john.power@husch.com
Michael.hargens@husch.com

ATTORNEYS FOR DEFENDANT
JEFFREY IMMELT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was forwarded this 12th day of February, 2008, by first class mail, postage prepaid to:

Samuel K. Lipari
297 NE Bayview
Lee's Summit, MO 64064

And an electronic copy was filed via the CM/ECF system which will send a notice of electronic filing to the following:

Nick Badgerow
Spencer Fane Britt & Browne LLP
9401 Indian Creek Parkway, Suite 700
Overland Park, KS 66210

/s/ Michael S. Hargens