

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Christopher Roller,

Case No.: 27-CV-09-22812

Plaintiff,

vs.

**Defendants Alexander Gese's and
Bosley, Inc.'s Notice of Motion and
Motion To Dismiss Complaint**

Wagner, Falconer & Judd, Ltd(WFJ) via Prepaid
Legal c/o Dan Smith

Honorable Judge Mark Boris via WFJ and
Bosley and State of Minnesota

Attorney Alexander Gese via Bosley,

Defendant.

To: Plaintiff Christopher Roller, *Pro Se*, 14806 Quentin Avenue South, Savage, MN
55378

NOTICE OF MOTION

PLEASE TAKE NOTICE that on the 23rd day of November, 2009, at 1:30 p.m., or as soon thereafter as counsel may be heard, before the Honorable Susan Burke, Hennepin County District Court, in Courtroom Number C 757, Hennepin County Government Center, 300 South 6th Street, Minneapolis, MN, Defendants Alexander Gese and Bosley, Inc., will move for an order dismissing the Complaint and for such other relief as the Court may deem just and proper.

MOTION TO DISMISS

Pursuant to Minn. R. Civ. Pro. 12.02(e), Defendants Alexander Gese and Bosley, Inc., respectfully move this Court for an Order dismissing the Complaint. This motion is based on this Notice of Motion and Motion to Dismiss, attached Memorandum of Law, and Proposed Order. In support of this Motion to Dismiss Defendants Alexander Gese and Bosley, Inc., state that Plaintiff Roller's Complaint does not state a claim upon which relief can be granted. It is entirely devoid of any facts or grounds that could give rise to a legally recognized civil cause of action against Defendants Gese or Bosley, Inc. Further, in disregard for Minn. R. Civ. 11 and Minn. Stat. §549.211, the Complaint is not signed by Plaintiff Roller and is not being presented for any proper purpose. By its content, it is only intended to harass and embarrass and impugn the character of Defendant Gese, and needlessly impose costs of litigation. Inasmuch as no amount of amending or repleading can correct the flaws in Roller's attempted claims, defendants Alexander Gese and Bosley, Inc., respectfully move the court to dismiss the Complaint with prejudice.

DATED: October 19, 2009

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

By: Richard B. Allyn
Richard B. Allyn, Atty. No. 1338

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**ATTORNEYS FOR MOVANTS
ALEXANDER GESE AND BOSLEY, INC.**