

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

<p>CHRISTOPHER ROLLER, Plaintiff, vs. SIOUX VALLEY HOSPITALS AND HEALTH SYSTEM, Defendant.</p>	<p>CIV. 05-1420-RHK-AJB DEFENDANT'S MOTION TO DISMISS</p>
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Defendant Sioux Valley Hospitals and Health System hereby moves the Court to dismiss Plaintiff's Complaint and Amended Complaint on the following grounds:

1. Plaintiff has named an improper party;
2. Plaintiff's Complaint and Amended Complaint should be dismissed under FED. R. CIV. P. 8;
3. The Court lacks subject matter jurisdiction over Plaintiff's frivolous claims;
4. Plaintiff fails to state a claim upon which relief may be granted;
5. Plaintiff's claims are barred on their face by the statute of limitations; or
6. Alternatively, Plaintiff's Complaint and Amended Complaint should be dismissed under the doctrine of forum non conveniens.

Dated: 9/12/05

s/ Mark W. Haigh

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