

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DR. RALPH DE LA TORRE, M.D.,

Plaintiff,

v.

BERNARD SANDERS, in his capacity as
Chairman of the Committee on Health, Education,
Labor, and Pensions of the United States Senate,
et al.,

Defendants.

Civil Action No. 1:24-cv-02776-TNM

DEFENDANTS' MOTION TO DISMISS

Defendants U.S. Senate Committee on Health, Education, Labor, and Pensions, Chairman Bernard Sanders, Ranking Member Bill Cassidy, and 18 other Members of the Committee – Senators Patty Murray, Robert P. Casey, Jr., Tammy Baldwin, Christopher Murphy, Tim Kaine, Margaret Wood Hassan, Tina Smith, Ben Ray Lujan, John W. Hickenlooper, Edward J. Markey, Susan M. Collins, Lisa Murkowski, Mike Braun, Roger Marshall, Mitt Romney, Tommy Tuberville, Markwayne Mullin, and Ted Budd – through undersigned counsel, hereby respectfully move the Court, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss plaintiff's complaint for lack of jurisdiction and failure to state a claim upon which relief can be granted. In support of the motion, defendants respectfully refer the Court to the accompanying Memorandum of Points and Authorities.

Respectfully submitted,

/s/ Morgan J. Frankel

Morgan J. Frankel, Bar #342022

Senate Legal Counsel

Patricia Mack Bryan, Bar #335463
Deputy Senate Legal Counsel

Thomas E. Caballero
Senior Assistant Senate Legal Counsel

Vivian M. Rivera
Assistant Senate Legal Counsel

Office of Senate Legal Counsel
642 Hart Senate Office Building
Washington, D.C. 20510-7250
(202) 224-4435 (tel), (202) 224-3391 (fax)

Dated: November 26, 2024

Attorneys for Defendants