

NO. X07 HHD-CV 05-4050526-S

CONNECTICUT COALITION FOR	:	SUPERIOR COURT
JUSTICE IN EDUCATION	:	
FUNDING INC., et al.	:	
<i>Plaintiffs</i>	:	
	:	
v.	:	COMPLEX LITIGATION DOCKET
	:	
RELL, M. JODI, et al.	:	
<i>Defendants</i>	:	AT HARTFORD
	:	
	:	JANUARY 9, 2013

DEFENDANTS' MOTION TO DISMISS

Defendants, M. Jodi Rell, in her official capacity as former Governor of the State of Connecticut; Allan B. Taylor, Beverly Bobroske, Donald Coolican, Lynne S. Farrell, Janet M. Finneran, Theresa Hopkins-Staten, Patricia B. Luke, and Timothy J. McDonald in their official capacities as present and former Members of the State Board of Education; Betty J. Sternberg, in her official capacity as former Commissioner of Education of the State of Connecticut; Denise L. Nappier, in her official capacity as former Treasurer of the State of Connecticut; and Nancy S. Wyman, in her official capacity as former Comptroller of the State of Connecticut, hereby move for the dismissal of the above-captioned action pursuant to Practice Book Sec. 10-31(a)(1) and Sec. 10-33. In support of this motion, the defendants submit that the complaint should be dismissed in its entirety because the court lacks subject matter jurisdiction over the plaintiffs' claims based on their lack of ripeness and, in addition, their mootness. Furthermore, plaintiff CCJEF's claims should be dismissed for lack of standing. A memorandum of law in support hereof accompanies this motion.

WHEREFORE the Defendant respectfully requests that the Court grant this motion to dismiss due to lack of ripeness, mootness, and lack of standing.

ORDER

The foregoing motion, having been heard, is hereby GRANTED/DENIED.

By the Court

GEORGE JEPSEN
ATTORNEY GENERAL

Stephen R. Park
Eleanor M. Mullen
Assistant Attorneys General

BY: Beth Z. Margulies
Beth Z. Margulies
Assistant Attorney General
Juris No. 085054
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120
Tel: (860) 808-5318
Fax: (860) 808-5347
Beth.Margulies@ct.gov

Darren P. Cunningham
Darren P. Cunningham
Assistant Attorney General
Juris. No. 421685
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120
Tel: (860) 808-5318
Fax: (860) 808-5347
Darren.Cunningham@ct.gov

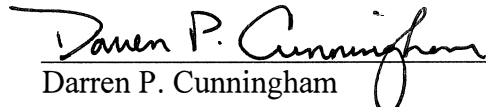
CERTIFICATION

This will certify that a copy of the foregoing has been mailed this 9th day of January 2013, to the following:

David N. Rosen, Esq.
David Rosen & Associates, P.C.
400 Orange Street
New Haven, CT 06511

PHV Michael D. Weisman
Davis, Malm & D'Agostine
One Boston Place
Boston, MA 02108

Helen V. Cantwell, Esq.
Debevoise & Plimpton, LLC
919 Third Avenue
New York, NY 10022



Darren P. Cunningham
Assistant Attorney General