

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FRANKLIN BENJAMIN, et al,	:	
Plaintiffs	:	NO. 1:09-cv-1182-JEJ
	:	
v.	:	(JUDGE JONES)
	:	
DEPARTMENT OF PUBLIC WELFARE,	:	Filed by ECF
COMMONWEALTH OF PENNSYLVANIA	:	
and ESTELLE B. RICHMAN,	:	Class Action
Defendants	:	

MOTION TO DISMISS

Pursuant to Fed. R. Civ. P. 12 (b)(6), defendants move to dismiss all claims in the amended complaint for failure to state claims on which relief can be granted.

Respectfully

submitted,

Date: September 24, 2009

/S/ Howard Ulan

Deputy

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