

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

WESLEY C. SMITH,

Plaintiff,

v.

CHERI SMITH, et al.,

Defendants.

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Case No.: 7:07-CV-00117

DEFENDANT RONALD FAHY'S RESPONSIVE PLEADINGS

Defendant Ronald Fahy, by his counsel, responds to Plaintiff's Complaint as follows:

Motion to Dismiss

Mr. Fahy moves to dismiss Plaintiff's Complaint. He makes his motion pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure and on the grounds that, *inter alia*, the Court lacks jurisdiction over certain of Plaintiff's claims and he is entitled to absolute immunity from suit. The reasons for Mr. Fahy's Motion to Dismiss are more fully explained in his accompanying brief in support.

Motion to Transfer Venue

Mr. Fahy moves the Court to transfer venue of this action to the Alexandria Division of the United States District Court for the Eastern District of Virginia ("Eastern District"). He makes his motion pursuant to 28 U.S.C. § 1404(a) and for the following reasons:

