

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

UNITED STATES HOUSE OF REPRESENTATIVES,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:14-cv-01967-RMC
)	
SYLVIA MATHEWS BURWELL , in her official)	
capacity as Secretary of Health and Human Services, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DEFENDANTS’ MOTION TO DISMISS THE COMPLAINT

The defendants, Sylvia Mathews Burwell, in her official capacity as Secretary of Health and Human Services; the United States Department of Health and Human Services; Jacob J. Lew, in his official capacity as Secretary of the Treasury; and the United States Department of the Treasury, respectfully move to dismiss the complaint for lack of subject-matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of those rules. The grounds for this motion are set forth in the accompanying memorandum.

Dated: January 26, 2015

Respectfully submitted,

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 /s/ Joel McElvain
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