

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

In Re: KATRINA CANAL BREACHES	§	CIVIL ACTION
CONSOLIDATED LITIGATION	§	NO. 05-4182 "K" (2)
	§	JUDGE DUVAL
_____	§	MAG. WILKINSON
	§	
PERTAINS TO: MRGO, <i>Robinson</i> (06-2268)	§	
_____	§	

**DEFENDANT UNITED STATES' RENEWED MOTION TO DISMISS
OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT**

Pursuant to Rule 12(b)(1) and 12(h)(3), Fed. R. Civ. P., the United States moves to dismiss this action for lack of subject-matter jurisdiction. In the alternative, the United States moves under Rule 56 for a summary judgment dismissing this action with prejudice. In support of this motion, the Court is respectfully referred to the United

States' Memorandum of Law in support of this motion, the Exhibits submitted herewith, and the entire record.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on January 14, 2008, a true copy of the foregoing was served on all counsel of record by ECF.

s/ Robin D. Smith
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