

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
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	§	
PERTAINS TO: MRGO, Robinson (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 for lack of subject matter jurisdiction.

In support of this motion, the Court is respectfully referred to the United States' Memorandum of Law in support of this motion, the United States' Statement of Undisputed Facts, the Exhibits submitted herewith, and the entire record.

Respectfully Submitted,

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s/ Robin D. Smith  
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CERTIFICATE OF SERVICE

I certify that a true copy of Defendant United States' Renewed Motion to Dismiss or, in the Alternative, for Summary Judgment was served by ECF on all parties of record on November 20, 2008.

s/ Robin D. Smith  
ROBIN D. SMITH