

**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 §

FILED IN: 05-4181, 05-4182, 05-5237, 05-6073, §
05-6314, 05-6324, 05-6327, 06-0225, §
06-0886, 06-2278, 06-2287, 06-4065, §
06-4389, 06-4634, 06-4931, 06-5032, §
06-5159, 06-5161, 06-5260, 06-5786, §
06-5937, 07-1271 §

**DEFENDANT WASHINGTON GROUP INTERNATIONAL, INC.’S
MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(1) and 12(c)**

NOW INTO COURT, through its undersigned counsel, comes Defendant Washington Group International, Inc. (“WGII”), which pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(c), and for reasons more fully set forth in the accompanying memorandum, moves for the dismissal of the MRGO Plaintiffs’ Master Consolidated Class Action Complaint (the “Complaint”).

Before filing this motion, WGII fully complied with Case Management and Scheduling Order No. 4 by submitting the motion to Defendants’ Liaison Counsel for his review. WGII understands that Defendants’ Liaison Counsel has communicated with the

Court concerning the motion, and that the Court has directed WGII to notice the hearing thereon for June 13, 2007. A notice of motion is attached to that effect.

WHEREFORE, defendant WGII prays that this Honorable Court grant its Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(c).

Dated: May 2, 2007

Respectfully submitted,

/s/Heather S. Lonian

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CERTIFICATE

I hereby certify that a copy of the above and foregoing Defendant Washington Group International, Inc.'s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(c) has been served upon all counsel of record through the Court's CM/ECF electronic filing system or by placing same in the United States mail, postage prepaid and properly addressed, this 2nd day of May, 2007.

/s/Heather S. Lonian
