

Complaint due to failure to state a claim upon which relief can be granted. In support of this Motion, Geisinger Medical Center relies on its supporting memorandum of law which will be filed within fourteen (14) days pursuant to Rule 7.5 of the Local Rules of Court.

Respectfully submitted,

/s/ John B. Dempsey

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Date: December 7, 2015

CERTIFICATE OF NON-CONCURRENCE

I, John B. Dempsey, hereby certify that I sought the concurrence of Counsel for Plaintiff, Mr. Bret D. Grote and Mr. Robert J. Boyle, in this Motion. Mr. Grote and Mr. Boyle do not concur in this motion.

/s/ John B. Dempsey
John B. Dempsey

Date: December 7, 2015

CERTIFICATE OF SERVICE

I, John B. Dempsey, hereby certify that a true and correct copy of the foregoing Geisinger Medical Center's Motion to Dismiss Plaintiff's First Amended and Supplemental Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) was served upon the following counsel of record via the Court's Electronic Case Filing system on this 7th day of December, 2015:

Bret D. Grote, Esquire
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/s/ John B. Dempsey