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14 *Attorneys for Defendant Grand Canyon*  
15 *Education, Inc.*

16 **UNITED STATES DISTRICT COURT**  
17 **DISTRICT OF ARIZONA**

18 Tanner Smith, Qimin Wang, Sabrina  
19 Palmer, and Kimele Carter, individually  
20 and on behalf of all others similarly  
21 situated,

22 Plaintiffs,

23 v.

24 Grand Canyon Education, Inc.,

25 Defendant.

Case No. 2:24-cv-01410-SPL

Assigned to: Hon. Steven P. Logan

**DEFENDANT GRAND CANYON  
EDUCATION, INC.'S NOTICE OF  
MOTION, MOTION TO DISMISS  
FIRST AMENDED COMPLAINT  
PURSUANT TO F.R.C.P 12(b)(6), AND  
CERTIFICATE OF CONFERRAL**

**ORAL ARGUMENT REQUESTED**

1 **TO THE COURT, CLERK, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that Defendant Grand Canyon Education, Inc. (“GCE”) will,  
3 and hereby does, move to dismiss Plaintiffs’ First Amended Complaint (ECF 18) for failure  
4 to state a claim pursuant to Federal Rules of Civil Procedure 12(b)(6). This Motion is based  
5 on this Notice of Motion, the accompanying Memorandum of Points and Authorities and all  
6 Exhibits attached thereto, the Proposed Order filed concurrently herewith, all pleadings and  
7 papers on file, and any oral or documentary evidence presented at the hearing on this Motion.

8 This Motion is made following the conference of counsel, pursuant to the Meet and  
9 Confer Requirement in the Court’s Preliminary Order (ECF 14) and Local Rule 12.1(c), which  
10 took place by telephone on August 5, 2024 prior to Plaintiffs’ filing of the First Amended  
11 Complaint. The issues raised in this Motion and the accompanying Memorandum of Points  
12 and Authorities have not been, and will not be, cured by the filing of an amended pleading.

13  
14 DATED: November 4, 2024

/s/ Derin B. Dickerson

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*Attorneys for Defendant Grand Canyon  
Education, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of November 2024, I caused to be electronically transmitted the foregoing document entitled GRAND CANYON EDUCATION, INC.'S NOTICE OF MOTION AND MOTION TO DISMISS FIRST AMENDED COMPLAINT PURSUANT TO F.R.C.P 12(b)(6) to the Clerk of the Court using the CM/ECF System, which will send notification of such filing and transmittal of a Notice of Electronic Filing to all registered CM/ECF users.

*/s/ Derin B. Dickerson*

Derin B. Dickerson