

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STEVEN ALAN MAGRITZ,

Plaintiff,

v.

**OZAUKEE COUNTY, OZAUKEE COUNTY
SHERIFF'S DEPARTMENT, 62.25 ACRES OF
LAND IN THE TOWN OF FREDONIA,
THOMAS WINKER, ROBERT A. BROOKS,
WILLIAM S. NIEHAUS, LEE SCHLENOVGT,
DANIEL P. BECKER, JOSEPH A. DEAN,
RAYMOND G. MEYER II, TIMOTHY F. KAUL,
JACOB CURTISS, DANIEL R. BUNTROCK,
KATHLYN T. GERACIE, ANDREW A.
PETZOLD, PATRICK MARCHESE, KARL V.
HERTZ, CYNTHIA G. BOCK, ROBERT T.
WALERSTEIN, NANCY SHARP
SZATKOWSKI, JOHN J. SLATER, JENNIFER
K. ROTHSTEIN, ROSE HASS LEIDER,
DONALD G. DOHRWARDT, RICHARD C.
NELSON, ALAN P. KLETTI, THOMAS H.
RICHART, JOHN C. GROSKLAUS, GLEN F.
STUMPF, GERALD E. WALKER, GUSTAV W.
WIRTH, JR., JAMES H. USELDING,
KATHLYN M. CALLEN, MARK A CRONCE,
MAURICE A STRAUB, KAREN L. MAKOUTZ,
RONALD A VOIGT, DENNIS E. KENEALY,
THOMAS W. MEAUX, ANDREW T. STRUCK,
SANDY A. WILLIAMS, ANDREW T.
GONRING, RHONDA K. GORDEN, ADAM Y.
GEROL, and JOHN DOE #1 THROUGH JOHN
DOE#30,¹**

Defendants.

Case No. 1:12-cv-00806-EGS

**DEFENDANTS' MOTION TO DISMISS, OR
ALTERNATIVELY, FOR CHANGE OF VENUE**

¹ Pursuant to LCvR 11.1, the names and addresses of Defendants are set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Defendants Ozaukee County, Wisconsin; Ozaukee County Sheriff's Department; and Thomas E. Winker, Robert A. Brooks, William S. Niehaus, Lee Schlenvogt, Daniel P. Becker, Joseph A. Dean, Raymond G. Meyer II, Timothy F. Kaul, Jacob Curtis, Daniel R. Buntrock, Kathlyn T. Geracie, Andrew A. Petzold, Patrick Marchese, Karl V. Hertz, Cynthia G. Bock, Robert T. Walerstein, Nancy Sharp Szatkowski, John J. Slater, Jennifer K. Rothstein, Rose Hass Leider, Donald G. Dohrwardt, Richard C. Nelson, Alan P. Kletti, Thomas H. Richart, John C. Grosklaus, Glenn F. Stumpf, Gerald E. Walker, Gustav W. Wirth, Jr., James H. Uselding, Kathlyn M. Callen, Mark A. Cronce, Maurice A. Straub, Karen L. Makoutz, Ronald A. Voigt, Dennis E. Kenealy, Thomas W. Meaux, Andrew T. Struck, and Rhonda K. Gorden, in their official capacities; by and through counsel of record, respectfully move to dismiss the Complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, or in the alternative request this Court to change venue pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure and 28 U.S.C. § 1391(b). The grounds for this motion are set forth in Defendants' Statement of Points and Authorities, which Defendants incorporate herein by reference.

Dated: June 27, 2012

Respectfully submitted,

/s/ Deborah B. Baum

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/s/ Andrew T. Phillips

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Christine K. Van Berkum (*pro hac vice* pending)

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Motion to Dismiss, or Alternatively, for Change of Venue; Exhibit A attached thereto; and Proposed Order on this 27th day of June, 2012, by First Class Mail on:

Steven Alan Magritz
P.O. Box 342443
Milwaukee, Wisconsin 53234

/s/ Deborah B. Baum
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