

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STUDENTS AND PARENTS FOR)	
PRIVACY, a voluntary unincorporated)	
association; and VICTORIA WILSON,)	
)	
Plaintiffs,)	Case No. 1:16-cv-4945
)	
v.)	The Honorable Jorge L. Alonso
)	
SCHOOL DIRECTORS OF TOWNSHIP)	Magistrate Judge Jeffrey T. Gilbert
HIGH SCHOOL DISTRICT 211,)	
COUNTY OF COOK AND STATE OF)	
ILLINOIS,)	
)	
Defendants,)	
)	
and)	
)	
STUDENTS A, B, and C, by and through)	
their parents and legal guardians)	
Parents A, B, and C, and the ILLINOIS)	
SAFE SCHOOLS ALLIANCE,)	
)	
Intervenor-Defendants.)	

**DEFENDANT BOARD OF EDUCATION OF TOWNSHIP HIGH
SCHOOL DISTRICT 211’S MOTION TO DISMISS
PLAINTIFFS’ FIRST AMENDED COMPLAINT**

Defendant Board of Education of Township High School District 211 (the “District”), by their attorneys Franczek Radelet P.C., moves to dismiss all counts of Plaintiffs’ First Amended Complaint pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure. In support of its Motion, Defendant states the following:

1. The only remaining plaintiffs identified in the Amended Complaint are Students and Parents for Privacy (“SPP”), which is “a voluntary unincorporated association comprised of

students who currently attend, or will be attending, District high schools and their parents,” and Victoria Wilson, the President of SPP and the mother of two students enrolled in District schools (*Id.* ¶¶ 39, 40). The Amended Complaint should be dismissed under Rule 12(b)(1) because neither party has standing to bring the claims asserted in the Amended Complaint.

2. In addition, Plaintiffs’ Amended Complaint should be dismissed under Rule 12(b)(6) because the allegations in the Amended Complaint conflict with binding Seventh Circuit authority and fail to state any legally recognized cause of action.

WHEREFORE, and for the reasons stated in Defendant’s Memorandum in Support of its Rule 12(b)(1,6) Motion to Dismiss, the Court should dismiss Plaintiffs’ First Amended Complaint in its entirety, with prejudice.

Dated: April 2, 2018

Respectfully submitted,

**BOARD OF EDUCATION OF TOWNSHIP
HIGH SCHOOL DISTRICT 211**

By: /s/ Jennifer A. Smith
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that she caused a true and correct copy of the foregoing **DEFENDANT BOARD OF EDUCATION OF TOWNSHIP HIGH SCHOOL DISTRICT 211'S MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT** to be filed with the Clerk of the Court using the CM/ECF system which will send notification to the following counsel of record this 2nd day of April, 2018:

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