IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

ARC OF IOWA, et. al, Plaintiff, v. KIM REYNOLDS, et. al, Defendants.	Case No. 4:21-cv-00264 **PARTIAL JOINDER IN "DISTRICTS" MOTION TO DISMISS**

COMES NOW, Defendant Iowa City Community School District ("ICCSD"), and moves to dismiss this action as to ICCSD, and partially joins the Motion to Dismiss filed by the Defendants "Districts" (Doc. 96) and adopts portions of the accompanying brief (Doc. 96-1) as set forth below. In support of this Partial Joinder in "Districts" Motion to Dismiss, Defendant ICCSD states as follows:

1. On September 3, 2021, Plaintiffs filed a Complaint joining ICCSD and other school districts as defendants, asserting that such districts are "indispensable but not adverse parties" regarding application of Iowa Code Section 280.31.

2. Plaintiffs do not articulate how ICCSD is "indispensable," or in any other way a necessary party, to the relief sought by the Complaint.

3. The Complaint instead targets the actions of State officials, and contains vague and conclusory allegations which do not provide "enough facts to state a claim to relief that is plausible on its face" as regards ICCSD. *See Bell Atl. Corp. v. Twombly*, 500 U.S. 544, 570 (2007).

4. Therefore, the Complaint fails to state a claim upon which relief can be granted as to ICCSD and should be dismissed as to ICCSD pursuant to Federal Rule of Civil Procedure 12(b)(6).

5. Plaintiffs do not articulate how the actions of State officials cause ICCSD to be an indispensable party, and the Complaint fails to state an actionable claim as regards it. Defendant ICCSD hereby adopt Argument II(C) as set out in the "Districts Brief in Support of Motion to Dismiss Complaint" filed at Doc. 96-1 and hereby incorporates the same herein by reference, and further states the Complaint fails to state a claim upon which relief can be granted as to ICCSD and should be dismissed as to ICCSD.

WHEREFORE, ICCSD request the Court dismiss this action as to ICCSD.

/s/ Crystal K. Raiber
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause in compliance with FRCP 5 on August 1, 2022 by:

□ U.S. Mail □ FAX
□ Hand Delivered □ Overnight Courier
□ Federal Express [X] Electronically through CM-ECF

/s/ Crystal Raiber