

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALICIA MARSHALL, DANIEL
PRONSKY, PARIS TOWNSEND,
NANCILEE HOLLAND, LEONA
OWSLEY, KOLAWOLE AHMADOU,
KIANA DERVIN, KRISTINA
HENDERSON, DUSTIN INNIS, KELLY
STALNAKER and JAMIE JONES,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

PRESTAMOS CDFI, LLC and
CHICANOS POR LA CAUSA, INC.,

Defendants.

Case No. 5:21-cv-04337-JMG

**DEFENDANT CHICANOS POR LA CAUSA, INC.’S RENEWED MOTION
TO DISMISS PLAINTIFFS’ SECOND AMENDED COMPLAINT**

Defendant Chicanos Por La Causa, Inc. (“CPLC”) hereby move, pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), to dismiss the Second Amended Complaint, ECF No. 42, with prejudice for lack of personal jurisdiction over Defendant CPLC, and for failure to state a claim upon which relief can be granted.

Defendant’s position is that the grounds for dismissal under Rules 12(b)(2) and 12(b)(6)—regarding the Court’s lack of jurisdiction and Plaintiffs’ inability to state claims under Counts One and Five of the Second Amended Complaint do not arise from pleading deficiencies that are curable by amendment, and that, moreover, further meet-and-confers over a pleading which remains little changed from when Defendants first moved to dismiss would be fruitless. *See* Policies and Procedures of Judge John M. Gallagher § II(B)(5).

WHEREFORE, Defendant CPLC respectfully requests that the Court enter an order granting its Renewed Motion to Dismiss and dismissing the Second Amended Complaint with prejudice.

Dated: October 13, 2023

BALLARD SPAHR LLP

By: /s/ Marcel S. Pratt
Marcel S. Pratt (Pa. ID 307483)
Timothy D. Katsiff (Pa. ID 75490)
Thomas J. Gallagher IV (Pa. ID 316269)
Alexa L. Levy (Pa. ID 327973)
1735 Market Street, 51st Floor
Philadelphia, PA 19103
T: 215-665-8500
F: 215-864-8999
PrattM@ballardspahr.com
KatsiffT@ballardspahr.com
GallagherT@ballardspahr.com
LevyA@ballardspahr.com

HERRERA ARELLANO LLP

Roy Herrera (*admitted pro hac vice*)
Daniel A. Arellano (*admitted pro hac vice*)
Jillian Andrews (*admitted pro hac vice*)
Austin T. Marshall (*admitted pro hac vice*)
1001 North Central Avenue, Suite 404
Phoenix, AZ 85004
T: 602-567-4820
Roy@ha-firm.com
Daniel@ha-firm.com
Jillian@ha-firm.com
Austin@ha-firm.com

Attorneys for Defendants