IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

OTO ANALYTICS, INC. d/b/a WOMPLY Plaintiff, v. CAPITAL PLUS FINANCIAL, LLC, CROSSROADS SYSTEMS, INC., ERIC DONNELLY, BA FIN ORION, LLC d/b/a BLUEACORN, and BARRY CALHOUN Defendants.	§ § § § § § § § § § § §	CIVIL ACTION NO. 3:21-cv-2636

CAPITAL PLUS DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendants Capital Plus Financial, LLC, Crossroads Systems, Inc., and Eric Donnelly (collectively, the "Capital Plus Defendants"), through their attorneys, respectfully move to dismiss Plaintiff's Amended Complaint against them, and for other and further relief as the Court deems just and proper. In support, the Capital Plus Defendants submit their Brief in Support of Motion to Dismiss Plaintiff's Amended Complaint, which is being filed contemporaneously with this motion.

The Capital Plus Defendants respectfully request that the Court set a hearing for oral argument on the Motion to Dismiss once briefing is complete.

Dated: January 31, 2022

Respectfully submitted,

SUSMAN GODFREY L.L.P.

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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2022, a true and correct copy of the foregoing document was filed with the Court and served on all counsel of records via the Electronic Case Filing (ECF) system in the United States District Court for the Northern District of Texas.

/s/Harry P. Susman
Harry P. Susman