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**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

JLPR, LLC, a Utah limited
liability company;

Plaintiff,

vs.

Utah Department of Agriculture and Food,
Utah Division of Purchasing, General
Services, The State of Utah, Scott Ericson,
Kerry Gibson, Kelly Pehrson, Andrew Rigby,
Cody James, Natalie Callahan, Mellissa Ure,
Brandy Grace, Christopher W. Hughes, Mark
Anderson, Zac Christensen, Stephanie Casta,
Standard Wellness Utah, LLC, and True
North of Utah, LLC,

Defendants.

Case No. 2:21-cv-00436

**MOTION TO DISMISS ALL CLAIMS
AGAINST DEFENDANT TRUE NORTH
OF UTAH, LLC**

Hon. Ted Stewart

(Oral Argument Requested)

Defendant True North of Utah, LLC, (“**True North**”) moves the Court pursuant to Fed. R. Civ. P. 9(b) and 12(b)(6) to dismiss the Sixth Cause of Action, and only claim against Truth North in JLPR, LLC’s (“**Plaintiff’s**”) Complaint, because it fails to plead this claim with particularity and fails state a claim upon which relief can be granted. Alternatively, if the Court is not inclined to dismiss this claim, True North moves, pursuant to Fed. R. Civ. P. 12(e), for an order that Plaintiff provide a more definite and, importantly, factual statement.

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INTRODUCTION

The Complaint literally stated no claim against True North upon which relief may be granted, and thus this Court should dismiss the Complaint as to True North. Dissatisfied with its unsuccessful bid at obtaining a coveted license to cultivate medical cannabis in Utah via a highly competitive process, Plaintiff's scorched-earth Complaint blindly cast blame on nearly everyone involved in the selection process—seventeen separate defendants—including successful applicants, like defendant True North. But despite the medley of generically pled federal and state claims in Plaintiff's 41-page Complaint, few allegations involve Truth North. In fact, Plaintiff's only cause of action against True North, which also included all of the other defendants, is an obscure and factually vapid claim of civil conspiracy.

What is most notable about Plaintiff's civil conspiracy claim, with respect to True North, is what it failed to include. Plaintiff did not allege, with any specificity, that representatives of True North came to an agreement or a meeting of the minds with anyone, or that they engaged in an illegal, overt act in furtherance of a conspiracy in a way that detrimentally impacted Plaintiff. Indeed, the Complaint contained no allegations regarding which individuals at True North engaged in the alleged conspiracy, where an agreement was made, when it was made, and what it specifically entailed. On the contrary, Plaintiff's allegations against True North were nothing more than blanket and generic recitations of the elements of a civil conspiracy claim.

Plaintiff's failure to allege any specific facts to support a viable claim of civil conspiracy against True North demonstrated that Plaintiff only intends to engage in a prolonged fishing expedition, hoping to ultimately uncover nefarious behavior among the successful applicants who were awarded a cultivation license. In doing so, Plaintiff's barren allegations against True North in its Sixth Cause of Action are not sufficient to meet the pleading standards set forth in Fed. R. Civ. P. 8(a), much less the heightened pleading requirements in Fed. R. Civ. P. 9(b) that apply here. In addition, the deficient allegations failed also to state a claim for civil conspiracy, and thus this Court should dismiss them pursuant to Fed. R. Civ. P. 12(b)(6) as set forth more fully below.

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