

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Anne M. Leathers, et al.,

Plaintiffs,

v.

United States of America, et al.,

Defendants.

Case No. 1:23-cv-00175-JPH

District Judge Jeffrey P. Hopkins

**DEFENDANT THE AD COUNCIL'S NOTICE OF JOINDER IN
PFIZER'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 8¹**

PLEASE TAKE NOTICE that Defendant The Advertising Council, Inc. (“The Ad Council”) joins in Defendant Pfizer’s motion to dismiss under Federal Rule of Civil Procedure 8 (Docket Entry 27). As requested by Pfizer in its motion, this Court should require Plaintiffs to wade through their tidal wave of allegations to determine what claims they are bringing, and against whom. That substantial burden should not be placed upon the Defendants in this case; particularly 501(c)(3) non-profit The Ad Council. As one of a litany of examples of the 173-page Complaint’s deficiencies, Plaintiffs have captioned it as in the Northern, not Southern, District of Ohio. *See generally*, Complaint (Docket Entry 1). Though perhaps not the most egregious mistake, this inattention to clarity and compliance with federal pleading standards is endemic throughout the Complaint. Therefore, The Ad Council respectfully requests this Court to require Plaintiffs to file an Amended Complaint that does not flout the applicable Federal Rules of Civil Procedure.

¹ Although Docket Entry 26 reflects a service date of June 16, 2023, The Ad Council’s records reflect a service date of June 20, 2023. The Ad Council will file a motion for extension if required by the Court.

For these reasons, and for the reasons stated in Pfizer's motion to dismiss, The Ad Council respectfully moves this Court to dismiss Plaintiffs' Complaint pursuant to Fed. R. Civ. P. 8.

Dated: July 11, 2023

Respectfully submitted,

/s/ Samantha J. Chugh

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CERTIFICATE OF SERVICE

I hereby certify that on this July 11, 2023, a true and correct copy of the foregoing was filed using the Court's ECF system, which will serve copies on all counsel of record.

Dated: July 11, 2023

/s/ Samantha J. Chugh
Samantha J. Chugh