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U.S. COURTS  
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REC'D \_\_\_\_\_ FILED \_\_\_\_\_  
CAMERON S. BURKE  
CLERK IDAHO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

_____	)	
BARRY ADAMS,	)	No. 4:01-cv-295 (BLW)
	)	
Plaintiff,	)	
	)	
v.	)	DEFENDANTS' MOTION TO DISMISS
	)	OR, IN THE ALTERNATIVE, FOR
UNITED STATES OF AMERICA	)	SUMMARY JUDGMENT
<u>et al.</u> ,	)	
Defendants.	)	
_____	)	

Pursuant to Rules 12 and 56 of the Federal Rules of Civil Procedure, defendants hereby move to dismiss plaintiff's complaint or, in the alternative, for summary judgment. This motion is accompanied by a Memorandum of Points and Authorities in Support of Defendants' Motion

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FOR SUMMARY JUDGMENT - Page 1

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to Dismiss or, in the Alternative, for Summary Judgment and a Statement of Material Facts.

Respectfully submitted,

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August 21, 2001

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#### CERTIFICATE OF SERVICE

THE UNDERSIGNED, an employee of the United States Attorney's Office for the District of Idaho, hereby certifies that on the 21<sup>st</sup> day of August, 2001, she mailed true and correct copies of DEFENDANTS' MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT by U.S. Mail, postage prepaid to the following:

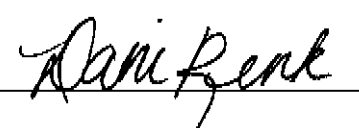
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FOR SUMMARY JUDGMENT - Page 2