

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

**IN RE: IOWA READY-MIX
CONCRETE ANTITRUST
LITIGATION**

**No. C10-4038-MWB
(CONSOLIDATED CASES)**

**DEFENDANT STEVEN KEITH VANDEBRAKE'S MOTION
TO DISMISS PLAINTIFFS' CONSOLIDATED COMPLAINT**

Defendant Steven Keith VandeBrake (“VandeBrake”), by counsel, hereby moves to dismiss Plaintiffs’ Consolidated Complaint (Doc. 104) pursuant to Rule 12 of the Federal Rules of Civil Procedure, and in support of such Motion, states as follows:

1. VandeBrake incorporates by reference the arguments enumerated in Defendant GCC Alliance’s Motion to Dismiss Plaintiffs’ Consolidated Complaint and Brief in Support thereof filed on September 17, 2010. (Docs. 149 & 149-1.)

WHEREFORE, Plaintiff Steve Keith VandeBrake respectfully requests that this Court grant this Motion to Dismiss Plaintiffs’ Consolidated Complaint and all other relief just and proper in the premises.

Respectfully submitted,

/s/ Bryan S. Strawbridge

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CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2010, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to counsel of record by operation of the Court's electronic filing system.

/s/ Bryan S. Strawbridge
Bryan S. Strawbridge

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