

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SCHUYLKILL HEALTH SYSTEM, on)
behalf of itself and all others similarly)
situated,)
)
Plaintiff,)

v.)

Civil Action No. 2:12-cv-07065-JS

CARDINAL HEALTH, INC.,)
CARDINAL HEALTH 200, LLC.,)
OWENS & MINOR, INC., and)
OWENS & MINOR DISTRIBUTION, INC.)

Hon. Juan R. Sánchez

Defendants.)
)
_____)

AND NOW, this ____ day of _____, 201__, upon consideration of Defendants' Motion to Dismiss Plaintiff's Complaint, submitted by Defendants Cardinal Health 200, LLC, and Owens & Minor Distribution, Inc., and upon consideration of Plaintiff's Response, and Defendants' Reply, it is hereby ORDERED that, for good cause shown, Defendants' Motion is GRANTED. Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

By the Court:

The Honorable Juan R. Sánchez

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)
)
_____)

DEFENDANTS’ MOTION TO DISMISS PLAINTIFF’S COMPLAINT

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Cardinal Health 200, LLC and Owens & Minor Distribution, Inc. (“Defendants”) respectfully move the Court to dismiss the Amended Class Action Complaint (“Complaint”) of Plaintiff Schuylkill Health System (“Plaintiff”) in the above-captioned action. For the reasons explained in the accompanying Memorandum in Support, the Complaint fails to plead any claim upon which relief can be granted, and should therefore be dismissed.

This Motion is based upon the concurrently-filed Memorandum in Support; all other documents submitted in support thereof, as incorporated hereby; the pleadings, records, and papers already on file in this action; and such other matters and oral argument as may be presented at the hearing on this Motion.

WHEREFORE, for the above reasons and the reasons set forth in the accompanying Memorandum in Support, Defendants respectfully request that the Court grant their Motion to Dismiss.

Dated: December 13, 2013

Respectfully submitted,

Attorneys for Cardinal Health 200, LLC

*Attorneys for Owens & Minor Distribution,
Inc.*

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/s/ Mary E. Kohart

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