

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JOSEPH HAMILTON and DEEP	)	
SOUTH WRESTLING, LLC,	)	
	)	
Plaintiffs,	)	
	)	Civil Action
v.	)	
	)	File No. 1:09-cv-1559-HTW
WORLD WRESTLING	)	
ENTERTAINMENT, INC.,	)	
	)	
Defendant.	)	
_____	)	

**DEFENDANT’S MOTION TO DISMISS**

The Defendant World Wrestling Entertainment, Inc. (“WWE”), pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves this Honorable Court to dismiss this action against WWE on the basis that the action fails to state a claim upon which relief may be granted.

In support of this Motion, WWE submits Defendant’s Brief in Support of Motion to Dismiss filed on even date herewith.

Submitted this 20<sup>th</sup> day of July, 2009.

/s/ Cheralynn M. Gregoire

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	)	
Defendant.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2009, I electronically filed the **Defendant’s Motion to Dismiss** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorney of record:

James D. McGuire  
Georgia Bar No. 493325  
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I hereby certify that I have also mailed Mr. McGuire **Defendant’s Motion**

**to Dismiss** via U.S. Mail, First Class addressed to him at the address set forth above.

/s/ Cheralynn M. Gregoire  
Attorney for Defendant World  
Wrestling Entertainment, Inc.

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