

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>MCGEORGE CAMPING CENTER, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CASE NO. 3:08cv00038-HEH</b>
	)	
<b>AFFINITY GROUP, INC., t/a RV.NET, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
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**MOTION TO DISMISS AND/OR FOR JUDGMENT ON THE PLEADINGS**

Defendant James Hurdle, by counsel, for his Motion to Dismiss and/or for Judgment on the Pleadings pursuant to Rules 12(b)(6), 12(c), and 12(h) of the Federal Rules of Civil Procedure, states as follows:

1. For the reasons stated more fully in the memorandum of points and authorities filed herewith, Count I of the Complaint (entitled "Defamation and Defamation *Per Se*") fails to state a claim against James Hurdle, and fails to state sufficient facts upon which the relief demanded can be granted.

2. For the reasons stated more fully in the memorandum of points and authorities filed herewith, Count II of the Complaint (entitled "Civil Conspiracy") fails to state a claim against James Hurdle, and fails to state sufficient facts upon which the relief demanded can be granted.

Wherefore, James Hurdle respectfully moves this Court to grant his motion to dismiss and/or for judgment on the pleadings, and enter an Order dismissing the claims alleged against him on the basis that the plaintiff has not stated a claim upon which relief can be granted; and for

such other and further relief as this Court deems proper.

JAMES HURDLE

Date: February 18, 2008

By: /s/ Alexander S. de Witt  
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*ATTORNEYS FOR JAMES HURDLE*

**CERTIFICATE**

I hereby certify that on the 18<sup>th</sup> day of February, 2008, I electronically filed the foregoing MOTION with the Clerk of this Court using the CM/ECF system, which will send notification of such filing to the following filing users:

Vernon Eugene Inge, Jr., Esq.  
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I further certify that on this 18<sup>th</sup> day of February, 2008, and true copy of the foregoing was mailed by first-class United States Mail, postage prepaid, to the following non-filing user:

**Jason Duncan**

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PRO SE

/s/ Alexander S. de Witt

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