

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

PRENDA LAW	)	
	)	Case No. 3:13-cv-00207-DRH-SCW
Plaintiff,	)	Removed from:
	)	
v.	)	The Circuit Court of St. Clair County, IL
	)	Case No. 13-L-0075
PAUL GODFREAD, ALAN COOPER, and JOHN DOES 1-10,	)	
	)	Honorable David R. Herndon
Defendants.	)	Honorable Stephen C. Williams
	)	

**DEFENDANTS PAUL GODFREAD & ALAN COOPER MOTION TO DISMISS FOR  
IMPROPER VENUE OR, IN THE ALTERNATIVE, TRANSFER VENUE TO THE  
NORTHERN DISTRICT, EASTERN DIVISION OF ILLINOIS**

Defendants, Alan Cooper and Paul Godfread (collectively “Defendants”), by counsel, and pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure, move this Court to dismiss this action for improper venue, or alternatively, pursuant to 28 U.S.C §1406(a) or 28 U.S.C. §1404(a), move this Court to transfer this action to the Northern District, Eastern Division of Illinois.

The Plaintiff is an Illinois corporation with its principal place of business in Chicago, Illinois, the Defendants are citizens of Minnesota. There is no connection at all with the Southern District of Illinois. Dismissal of this action for improper venue should thus be granted. Alternatively, the convenience of the parties, the convenience of any witnesses, and the interests of justice, all militate in favor of transfer to the Northern District, Eastern Division of Illinois. Accordingly, transfer of venue pursuant to 28 U.S.C. §1406(a) or 28 U.S.C. §1404(a) to the Northern District, Eastern Division of Illinois should be granted.

Defendants file herewith Defendants’ Memorandum in Support of its Motion to Dismiss for Improper Venue or Alternatively to Transfer Venue.

**WHEREFORE**, Defendants pray the Court grant this Motion to Dismiss pursuant to Rule 12(b)(3), or alternatively grant this Motion to Transfer Venue pursuant to 28 U.S.C. §1406(a) or 28

U.S.C. §1404(a) to the Northern District, Eastern Division of Illinois, and for all other relief proper in the premises.

Dated: March 26, 2013

Respectfully submitted,

/s/ Erin Kathryn Russell  
Counsel for Defendants  
Paul Godfread and Alan Cooper

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of March, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to the parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Erin Kathryn Russell