

**FORM 14 - MOTION TO DISMISS, PRESENTING DEFENSES OF FAILURE TO STATE A CLAIM, OF LACK OF SERVICE OF PROCESS, AND OF LACK OF JURISDICTION UNDER RULE 12.02**

The defendant moves the court as follows:

1. To dismiss the action because the complaint fails to state a claim against defendant upon which relief can be granted.

2. To dismiss the action or in lieu thereof to quash the return of service of summons on the grounds: (Here state reasons, such as, (a) that the defendant is a corporation organized under the laws of Delaware and was not and is not subject to service of process within the State of Minnesota; (b) that the defendant has not been properly served with process in this action, all of which more clearly appears in the affidavits of M.N. and X.Y. hereto annexed as Exhibit A and Exhibit B respectively).

3. To dismiss the action on the ground that the court lacks jurisdiction because (no justiciable controversy is presented, or as the case may be).

Signed: \_\_\_\_\_,  
Attorney for Defendant.

Address: \_\_\_\_\_.

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**NOTICE OF MOTION**

To: \_\_\_\_\_  
Attorney for Plaintiff.

Please take notice, that the undersigned will bring the above motion on for hearing before the court at a special term thereof, to be held at the court house in the City of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock in the (forenoon) (afternoon) or as soon thereafter as counsel can be heard.

Signed: \_\_\_\_\_,  
Attorney for Defendant.

Address: \_\_\_\_\_.