UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DAVID ROBERTSON and DANIEL RODNI,	)	
Plaintiffs,	)	
	)	**Case No. 3:23-cv-00770**
v.	)	**District Judge William L. Campbell, Jr.**
	)	**Magistrate Judge Barbara D. Holmes**
RYAN UPCHURCH,	)	
Defendant.	)	

DEFENDANT RYAN UPCHURCH'S
MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

Comes now Defendant Ryan Upchurch, by and through undersigned counsel, and respectfully moves this Court to Dismiss Plaintiff's Amended Complaint (Doc. No. 9) because it fails to state a claim upon which relief may be granted for Plaintiffs' claims of defamation, defamation per se, false light, intentional infliction of emotional distress, and negligent infliction of emotional distress. Mr. Upchurch respectfully requests that the Court dismiss the case with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

A Memorandum of Law in Support is being filed contemporaneously herewith.

Respectfully Submitted,

Sherwood Boutique Litigation, PLC

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on the following via the Court's CM/ECF system:

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on this the 10th day of October 2023.

/s/ Cynthia A. Sherwood