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IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant, Case No. SC21-694

v.

MARC JEREMY SOSS,

Respondent.
_____/

RECEIVED, 06/01/2021 12:57:28 PM, Clerk, Supreme Court

MOTION TO DISMISS

Respondent, MARC JEREMY SOSS, through counsel, hereby moves this Honorable Court to dismiss the allegation set forth in the *ad damnum* clause of its Complaint dated May 12, 2021, regarding the assertion that Respondent has violated Rule 4-8.4(g) (failure to respond in writing to The Florida Bar, and he states:

1. Per Fla. R. Civ. P. 1.140(b)(6), the Complaint fails to state a cause of action for an alleged violation of Rule 4-8.4(g).
2. There is no factual assertion or allegation anywhere within the Complaint that Respondent violated said Rule, except for its inclusion in the *ad damnum* clause.

WHEREFORE, the Respondent, MARC JEREMY SOSS, respectfully requests entry of an Order by this Honorable Court

dismissing the alleged rule violation stated in the *ad damnum* clause with regard to R. Regulating Fla. Bar 4-8.4(g), for failure to state a cause of action under said rule, plus any and all such further relief as the Court may find just and fair.

CERTIFICATE OF SERVICE

I CERTIFY that this paper was e-filed through the portal with the Clerk and served to Jennifer Dillon, at jdillon@floridabar.org, rrivera@floridabar.org, tampaoffice@floridabar.org, and Katrina Brown at kschaffhouser@floridabar.org, to Patricia Ann Toro Savitz, Staff Counsel, at psavitz@floridabar.org, on June 1, 2021.

/s/ **Brett Alan Geer**

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