

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

AND PLAINTIFFS

VS.

NO.

DEFENDANT

MOTION TO DISMISS OR, IN THE ALTERNATIVE, TO TRANSFER

Pursuant to Miss. R. Civ. P. 12(b)(3), , files this Motion to Dismiss, Or, in the Alternative, to Transfer Venue on the basis that venue is improper in the Circuit Court of County.

I.

The Complaint identifies the Plaintiffs as adult resident citizens of County. Further, the Complaint represents that is located, with its principal place of business, at , Mississippi. This is correct. Thus, is domiciled in County. The cause of action involves the alleged wrongful denial of benefits, which denial would have occurred in County at the domicile of .

Accordingly, pursuant to Miss. Code Ann. Section 11-11-3 (Supp. 1992) venue is proper in County, Mississippi.

WHEREFORE, requests this Court to dismiss this action, or, in the alternative, to transfer this action to the Circuit Court of County on the basis of improper venue. further requests all additional relief the Court may deem proper.

DATED, this the day of , .

Respectfully submitted,

BY: _____
, One of Its Attorneys

CERTIFICATE OF SERVICE

I, _____, hereby certify that I have this day caused to be mailed by United States mail, postage prepaid, a true and correct copy of the above and foregoing MOTION TO DISMISS, OR, IN THE ALTERNATIVE TO TRANSFER to the following counsel of record:

This the _____ day of _____, _____.
