

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

FRANKLIN PEPPER, ESQ., as
Administrator and Personal
Representative of the Estate of
GERTRUDE KLABUNDE, deceased

Plaintiff,

v.

Case No.: 3:24-cv-825

BOAR'S HEAD PROVISIONS CO., INC.,

Defendant.

BOAR'S HEAD PROVISIONS CO., INC.'S MOTION TO DISMISS

Pursuant to Local Rule 7, and Rule 12(b)(6), of the Federal Rules for Civil Procedure, Defendant Boar's Head Provisions Co., Inc., by counsel, hereby moves to DISMISS Plaintiff's Amended Complaint for failure to state a claim upon which relief can be granted. This Motion is based on this notice, the accompanying Memorandum in Support, and any other evidence and argument this Court may entertain.

Respectfully submitted,

BOAR'S HEAD PROVISIONS CO., INC.

By: /s/ Kevin L. Keller

Kevin L. Keller (VSB No. 30731)

Kevin M. Kennedy (VSB No. 75071)

Bryn L. Clegg (VSB No. 96923)

Willcox & Savage, P.C.

440 Monticello Avenue, Suite 2200

Norfolk, Virginia 23510

Telephone: (757) 628-5500

Facsimile: (757) 628-5566

kkeller@wilsav.com

kkennedy@wilsav.com

bclegg@wilsav.com

Counsel for Boar's Head Provisions Co., Inc.

CERTIFICATION

I hereby certify that on this 24th day of January, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Emily C. Lagan, Esquire
Salvatore J. Zambri, Esquire (*phv* pending)
Regan Zambri Long
1919 M Street NW, Suite 600
Washington, DC 20036
Telephone: (202) 463-3030
Facsimile: (202) 463-0667
elagan@reganfirm.com
szambri@reganfirm.com
Co-Counsel for Plaintiff

William D. Marler, Esquire (*phv* pending)
Marler Clark
180 Olympic Drive S.E.
Bainbridge Island, WA 98110
Telephone: (206) 346-1888
Facsimile: (206) 346-1898
bmarler@marlerclark.com
Co-Counsel for Plaintiff

/s/ Kevin L. Keller
Kevin L. Keller (VSB No. 30731)
Kevin M. Kennedy (VSB No. 75071)
Bryn L. Clegg (VSB No. 96923)
Willcox & Savage, P.C.
440 Monticello Avenue, Suite 2200
Norfolk, Virginia 23510
Telephone: (757) 628-5500
Facsimile: (757) 628-5566
kkeller@wilsav.com
kkennedy@wilsav.com
bclegg@wilsav.com
Counsel for Boar's Head Provisions Co., Inc.