

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

**LEAGUE OF WOMEN VOTERS OF
NEW HAMPSHIRE, *et al.*,**

Plaintiffs,

STEVE KRAMER, *et al.*,

Defendants.

Civil Action No. 1:24-cv-73-SM-TSM

**LIFE CORPORATION AND VOICE BROADCASTING CORPORATION'S
MOTION TO DISMISS AMENDED COMPLAINT**

NOW COME Defendants Life Corporation (“Life”) and Voice Broadcasting Corporation (“Voice”), by and through counsel, and respectfully move to dismiss Plaintiffs’ Amended Complaint pursuant to Fed.R.Civ.P. 12(b)(6), stating as follows:

1. Plaintiffs seek to hold Life and Voice liable for the conduct of Defendant Steve Kramer, the “architect” of the robocalling “scheme” that is the subject of this lawsuit. ECF No. 65, Amended Complaint (“Am. Compl.”) ¶ 68. Plaintiffs’ Amended Complaint outlines in detail the steps Kramer, and Kramer alone, took to plan, generate and transmit the January 21, 2024, call that is the subject of the Amended Complaint (the “Subject Call”).

2. Fatally, however—as to the plaintiffs’ claims against Life and Voice—the Amended Complaint lacks well-pleaded facts to show how Plaintiffs are entitled to relief arising out of Life and Voice’s alleged involvement. In fact, Plaintiffs’ own allegations make clear that Defendant Kramer is entirely responsible for planning, creating, and sending out the Subject Call. No basis exists to impose liability on either Life or Voice.

3. The Court should dismiss Plaintiffs’ claims against Life and Voice because: (a) Plaintiffs have failed to identify an actual, concrete injury sufficient to confer standing—

particularly any injury fairly traceable to Life or Voice; (b) Plaintiffs have failed to articulate how Life or Voice could be liable under the Voting Rights Act (“VRA”); and (c) Plaintiffs have no claim under either the Telephone Consumer Protection Act (“TCPA”) or New Hampshire Election Laws.

4. Legal arguments in support of the within Motion to Dismiss are fully set forth in the accompanying Memorandum of Law.

WHEREFORE, the defendants Life Corp. and Voice Broadcasting, Inc. respectfully pray this Honorable Court:

A. Dismiss the Amended Complaint as to all claims alleged against Life Corp. and Voice Broadcasting, Inc.; and

B. Grant such other and further relief as is just and equitable.

DATE: June 25, 2024

Respectfully submitted,

/s/ Benjamin T. King

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