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11 UNITED STATES DISTRICT COURT
12
13 CENTRAL DISTRICT OF CALIFORNIA

14
15 MADISON McPHERSON, an
16 individual; A.M., a minor by and
17 through her guardian, Saul Ruiz,
18 MARIBEL MUÑOZ, an individual;
19 H.H., a minor by and through her
20 guardian ad litem, Aiysha Hazameh,
21 HANAN HAZAMEH, an individual;

22 Plaintiff(s),
23
24 v.

25 JURUPA UNIFIED SCHOOL
26 DISTRICT; CALIFORNIA
27 INTERSCHOLASTIC FEDERATION;
28 and CALIFORNIA DEPARTMENT OF
29 EDUCATION;

30 Defendant(s)

31 Case No: 5:25-cv-02362-SSS-SP
32 Assigned to Hon. Judge Sunshine Suzanne
33 Sykes / Courtroom 2
34 (Complaint filed on 09/09/25)

35 **DEFENDANT JURUPA UNIFIED
36 SCHOOL DISTRICT'S NOTICE OF
37 MOTION AND MOTION TO DISMISS
38 CLAIMS IN PLAINTIFFS' FIRST
39 AMENDED COMPLAINT PURSUANT
40 TO FEDERAL RULE OF CIVIL
41 PROCEDURE 12(B)(6); MOTION TO
42 STRIKE PRAYER FOR PUNITIVE
43 DAMAGES AGAINST THE DISTRICT
44 PURSUANT TO FEDERAL RULE OF
45 CIVIL PROCEDURE 12(F)**

46 [Filed concurrently with Memorandum of
47 Points and Authorities; Declaration of
48 Regina Zernay; [Proposed] Order]

49 Date: March 13, 2026
50 Time: 2:00 p.m.
51 Courtroom: 2

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53
54 **TO ALL PARTIES AND TO ATTORNEYS OF RECORD HEREIN:**
55
56 **PLEASE TAKE NOTICE** that on March 13, 2026 at 2:00 p.m., or as soon
57 thereafter as may be heard in Courtroom in Courtroom 2, of the above-entitled court,

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1 located at 3470 Twelfth Street Riverside, CA 92501, Defendant, JURUPA UNIFIED
2 SCHOOL DISTRICT (the “District”) will and hereby does move the Court for an Order
3 dismissing the following claims, without leave to amend, in the First Amended
4 Complaint filed by Plaintiffs Madison Mcpherson; A.M., a minor by and through her
5 guardian ad litem, Saul Ruiz; Maribel Munoz; H.H., a minor by and through her
6 guardian ad litem Aiysha Hazameh; and Hanan Hazameh:

- 7 • First Cause of Action alleged by Plaintiffs McPherson, A.M., H.H. against the
8 District for Violation of Title IX – Sex Discrimination;
- 9 • Second Cause of Action alleged by Plaintiffs McPherson, A.M., H.H. against
10 the District for Violation of Title IX – Facial Challenge;
- 11 • Fourth Cause of Action alleged by Plaintiffs McPherson, A.M., H.H. against
12 the District for Equal Protection Violation – Sex Discrimination;
- 13 • Fifth Cause of Action alleged by all Plaintiffs against the District for Violation
14 of Free Exercise Clause of the First Amendment under 42 U.S.C. § 1983; and
- 15 • Sixth Cause of Action alleged by Plaintiffs McPherson, A.M., H.H. against the
16 District for Violation of Free Speech Clause of the First Amendment under 42
17 U.S.C. § 1983.

18 The motion to dismiss is made pursuant to Federal Rule of Civil Procedure
19 12(b)(6) on the grounds that the causes of action fail to state a claim upon which relief
20 can be granted and Plaintiffs Maribel Munoz and Hanan Hazameh lack standing to assert
21 their claims.

22
23 PLEASE TAKE FURTHER NOTICE that, pursuant to Federal Rule of Civil
24 Procedure 12(f), the District will and hereby does move the Court for an Order striking
25 Plaintiffs’ request for punitive damages against it.

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27 This Motion is based on this Notice, the attached Memorandum of Points and
28 Authorities, the anticipated Reply, the Declaration of Regina Zernay, the papers and

1 records in the Court's file in this action and the related cases, and such oral and
2 documentary evidence as may be presented at the hearing.

3 This Motion is made following the conferences of counsel pursuant to L.R. 7-3
4 which took place on October 1, 2025 and December 4, 2025. (Zernay Decl., ¶¶ 4, 5.)

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6 DATED: January 9, 2026

McCUNE & HARBER, LLP

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8 By: 
9 STEPHEN M. HARBER, ESQ.
10 AMY A. EVENSTAD, ESQ.
11 REGINA ZERNAY, ESQ.
12 Attorneys for Defendant, JURUPA
13 UNIFIED SCHOOL DISTRICT

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