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IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
STATE OF IDAHO
IN AND FOR NEZ PERCE COUNTY

JEREMY L. BASS,

Plaintiff,

vs.

MICHAEL NEWELL, ESQ AT IDEA LAW
GROUP, LLC, CARRINGTON MORTGAGE
SERVICES, LLC, AND BANK OF AMERICA,
N.A.,

Defendants.

Case No. CV35221875

MOTION TO DISMISS AND STRIKE
SUMMONS AND COMPLAINT

COMES NOW, MICHAEL J NEWELL, IDEA LAW GROUP LLC, and moves the Court for a dismissal of the complaint and striking summons and complaint filed by the Plaintiff, Jeremy L. Bass. This motion is based on the following grounds:

- 1) Complaint is not verified as is required by IRCP 65.
- 2) Indispensable parties are not named in the complaint IRCP 65.
- 3) Statute of Limitations bars the complaint for fraud and breach of contract as the claims originated in 2009. Idaho Code 5-218.
- 4) Service has not been made on other necessary party defendants.
- 5) Complaint fails to name indispensable party defendants.

MOTION TO DISMISS

- 6) Summons is not complete and erroneously issued and only lists cause of action for Temporary Restraining Order and not other causes of action contained in the Complaint.
- 7) Summons served is incomplete and not per requirements of IRC 4 (a) (1) (G) and IRCP 4 (b) (1) and IRCP 4 (d) (1) (A).
- 8) No hearing has been set and served with the summons and complaint as to issuance of a temporary restraining order or bond necessary.
- 9) No bond hearing has been set by the Court.

Moving Party has filed a Memorandum in support of this Motion and requests oral argument in support thereof.

Dated this 17th day of January 2023.

IDEA LAW GROUP, LLC

Michael Newell
Michael J. Newell, #1953

CERTIFICATE OF MAILING

I certify that I have sent by email and first class mail this MOTION TO DISMISS AND STRIKE THE COMPLAINT AND SUMMONS to the Plaintiff on January 17, 2023, at the following email address and postal address:

Email: quantum.j.l.bass@rawdeal.io

Postal: Jeremy L. Bass
1515 21st Ave
Lewiston Idaho 83501

Michael Newell
Michael J Newell