IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

FEDERAL TRADE COMMISSION, Plaintiff, vs. SUPERIOR PRODUCTS INTERNATIONAL II, INC., *a corporation*, *and* JOSEPH E. PRITCHETT, *individually and as an officer of* SUPERIOR PRODUCTS INTERNATIONAL II, INC., Defendants.	)	Case No. 2020-CV-2366

DEFENDANTS' MOTION TO DISMISS THE FEDERAL TRADE COMMISSION'S REQUEST FOR EQUITABLE MONETARY RELIEF

For the reasons set forth in the accompanying Defendants' Memorandum in Support of Their Motion to Dismiss the Federal Trade Commission's Request for Equitable Monetary Relief, and pursuant to Federal Rule of Civil Procedure 12(b)(6), Superior Products International II, Inc. ("SPI") and Joseph E. Pritchett, respectfully move the Court to dismiss the Federal Trade Commission's request for equitable monetary relief because that request is not plausible on its face in light of the United States Supreme Court's holding in *AMG Capital Mgmt., LLC v. FTC*, No. 19-508, 141 S.Ct. 1341, 2021 WL 1566607 (Apr. 22, 2021).

WHEREFORE, SPI and Pritchett respectfully request that this Honorable Court grant this Motion and such other and further relief as it may deem necessary and just.

Respectfully submitted by:

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Attorneys for Defendants Joseph E. Pritchett and Superior Products International II, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of May, 2021, I presented the above and foregoing **DEFENDANTS' MOTION TO DISMISS THE FEDERAL TRADE COMMISSION'S REQUEST FOR EQUITABLE MONETARY RELIEF** to the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to counsel of record.

s/Jay F. Fowler
Jay F. Fowler, KS #10727