UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re: **POWER HOME SOLAR, LLC** **Debtor.**	**Chapter 7** **Case No. 22-50228**
Claude Mumpower, et al., **Plaintiffs,** **v.** **Power Home Solar LLC, et al.,** **Defendants.**	**Adv. Pro. No. 23-3005**

DIVIDEND SOLAR FINANCE, LLC'S MOTION TO DISMISS

Defendant Dividend Solar Finance, LLC ("Dividend"), by counsel, pursuant to Rule 7012 of the Federal Rules of Bankruptcy Procedure (the "Federal Bankruptcy Rules"), Local Rule 7007-1 of the Rules of Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina (the "Local Bankruptcy Rules"), and Rule 12(b)(6) of the Federal Rules of Civil Procedure, respectfully moves (the "Motion") the Court for an Order dismissing Plaintiffs' claims against Dividend asserted in that certain *First Amended Adversary Class Action Complaint* [DE 34] (the "Complaint"), with prejudice. In support of this Motion, Dividend relies on the accompanying *Brief in Support of Dividend Solar Finance, LLC's Motion to Dismiss*, which is incorporated herein by reference.

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Date: June 30, 2023

Respectfully submitted,

/s/ Tyler J. Mitchell
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served on June 30, 2023, electronically in accordance with the method established under this Court's CM/ECF Administrative Procedures upon all parties in the electronic filing system in this case.

/s/ Tyler J. Mitchell
Attorney for Dividend Solar Finance, LLC