

FILE

VIRGINIA:

IN THE CIRCUIT COURT FOR HENRICO COUNTY

DEVIN G. NUNES,

Plaintiff,

v.

Case No. CL19001715-00

TWITTER, INC.,  
ELIZABETH A. "LIZ" MAIR,  
MAIR STRATEGIES LLC,  
"DEVIN NUNES' MOM"  
[@DevinNunesMom]  
"DEVIN NUNES' COW"  
[@DevinCow]

ORAL ARGUMENT REQUESTED

Defendants.

**MOTION TO DISMISS**  
**ON GROUNDS OF *FORUM NON CONVENIENS***

Defendants Elizabeth A. Mair and Mair Strategies LLC (together, "Ms. Mair"), by counsel, hereby move to dismiss this action and the claims against them on grounds of *forum non conveniens* pursuant to Virginia Code section 8.01-265(i).<sup>\*</sup> Ms. Mair states the following in support of her Motion:

The Plaintiff, Devin Nunes, is a citizen of California, and lodges most of his claims against Twitter, a California-based company. Apart from Twitter's flimsy connection to Henrico County—consisting of a registered agent—Ms. Mair

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<sup>\*</sup> Ms. Mair expressly reserves the right to file responsive pleadings addressing the merits of Plaintiff's Complaint in the event that her motion to dismiss on the grounds of *forum non conveniens* is not granted, including but not limited to a demurrer for failure to state a claim, Va. Code. § 8.01-273, and a motion to strike under the California anti-SLAPP statute, *see* Cal. Civ. Proc. Code § 425.16.

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*Elizabeth A. Mair*  
Devin G. Nunes, Plaintiff

supplies the only apparent connection between this case and Virginia. Yet California law would apply to Mr. Nunes's claims against Ms. Mair, and most relevant evidence and witnesses are in California. Simply put, California is a far more convenient and practical forum with a far greater nexus to the present dispute.

In support of this motion, Ms. Mair relies upon and incorporates herein the arguments and authorities contained in her contemporaneously-filed memorandum.

WHEREFORE, Defendant Ms. Mair respectfully requests that the Court grant this Motion, dismiss this action and all claims against her without prejudice, and grant such other relief as the Court deems just and proper.

Dated: May 14, 2019

Respectfully submitted,

Elizabeth A. Mair

By Counsel:



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