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8 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

9	RAHINAH IBRAHIM,)	
10)	No. CV 06-00545 WHA
	Plaintiff,)	
11)	FEDERAL DEFENDANTS' SUPPLEMENTAL
	v.)	BRIEF IN SUPPORT OF THEIR MOTION TO
12)	DISMISS PLAINTIFF'S CLAIMS FOR LACK
	DEPARTMENT OF HOMELAND)	OF SUBJECT MATTER JURISDICTION
13	SECURITY, <u>et al.</u> ,)	
)	Date: July 20, 2006
14	Defendants.)	Time: 8:00 a.m.
)	Courtroom 9 – 19 th Floor

15 INTRODUCTION

16 As the Court is aware, the federal defendants have previously moved under Rule 12(b)(1)
 17 of the Federal Rules of Civil Procedure to dismiss plaintiff's claims *in toto* for lack of subject
 18 matter jurisdiction. After the July 20, 2006 hearing on this motion and the dispositive motions
 19 brought by other co-defendants, the Court issued an Order that same day stating that plaintiff's
 20 amendment to her original complaint "renders it procedurally awkward for the Court to rule at
 21 this time on defendants' motions to dismiss aimed at that original complaint." *See* Order of July
 22 20, 2006. Finding that plaintiff's amended complaint "may substantially alter the jurisdictional
 23 landscape in this case," the Court ordered that the moving defendants' respective motions be
 24 "deemed denied, without prejudice to defendants to renew any and all of these arguments with
 25 respect to the amended complaint." *Id.* The Court further ordered that each of the moving
 26 defendants file a supplemental brief "addressing the purported grounds for dismissing plaintiff's
 27 amended complaint." *Id.*
 28

1 ARGUMENT

2 Pursuant to the Court’s Order, the federal defendants hereby renew their motion to
3 dismiss for the reasons previously set forth in support of their original motion. *See* Docket No.
4 63, May 22, 2006 (federal defendants’ original motion and memorandum in support thereof);
5 Docket No. 80, June 29, 2006 (federal defendants’ reply memorandum). Plaintiff’s amended
6 complaint, as specifically concerns the federal defendants, does nothing more than name as
7 additional defendants the Transportation Security Operations Center (“TSOC”) and the
8 Transportation Security Intelligence Service (“TSIS”), which are offices within the
9 Transportation Security Administration (“TSA”). *See* Amended Complaint, ¶¶ 30-31. Because
10 TSA is already a defendant in this action pursuant to plaintiff’s original complaint, and because
11 the TSOC and TSIS exist solely as offices within TSA, plaintiff’s amended complaint does
12 nothing to change the grounds on which plaintiff’s claims against the federal defendants –
13 including TSA – should be dismissed *in toto* for lack of subject matter jurisdiction. The
14 dispositive motion previously brought on behalf of TSA perforce encompasses all of TSA’s
15 offices, including the TSOC and TSIS. For this reason, there is no need for further briefing on
16 plaintiff’s amended complaint.

17 CONCLUSION

18 For the foregoing reasons and the reasons previously submitted in support of the federal
19 defendant’s dispositive motion, plaintiff’s claims against the federal defendants should be
20 dismissed *in toto* for lack of subject matter jurisdiction.

21 Respectfully submitted,

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24 /s/ John R. Tyler
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July 31, 2006