



because they lack standing and because they have not stated a plausible claim for relief; (4) Plaintiffs' state law claims are preempted by ERISA, and also fail to state a claim.

Cigna therefore respectfully requests that the Court dismiss Plaintiffs' Amended Complaint, with prejudice and without leave to amend. Further, Cigna requests that the Court award Cigna its fees and costs under 29 U.S.C. § 1132(g).

DEFENDANTS,

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 16, 2021, a copy of the foregoing Motion to Dismiss was filed electronically. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

*/s/ Jean E. Tomasco*

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Jean E. Tomasco