

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER MOEHRL, on behalf of)
himself and all others similarly situated,)
)
Plaintiff,)

Case No: 1:19-cv-01610

v.)

Judge Andrea R. Wood

THE NATIONAL ASSOCIATION OF)
REALTORS, REALOGY HOLDINGS)
CORP., HOMESERVICES OF AMERICA,)
RE/MAX HOLDINGS, INC. and KELLER)
WILLIAMS REALTY, INC.)
)
Defendants.)

Magistrate Judge M. David Weisman

CORPORATE DEFENDANTS’ MOTION TO DISMISS

Defendants Realogy Holdings Corp., HomeServices of America, Inc., RE/MAX Holdings, Inc., and Keller Williams Realty, Inc. (collectively, the “Corporate Defendants”) respectfully move the Court to dismiss the claims against them pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of their Motion, the Corporate Defendants state as follows:

1. Plaintiff’s putative class action Complaint alleges that the Corporate Defendants and Defendant The National Association of Realtors (“NAR”) violated Section 1 of the Sherman Act in connection with NAR rules related to the Multiple Listing Service.

2. For the reasons set forth in the accompanying Memorandum of Law in Support of Corporate Defendants’ Motion to Dismiss, and those in the separately filed Brief in Support of the National Association of Realtors® to Dismiss the Complaint, in which the Corporate Defendants join, the Complaint fails to state a claim upon which relief can be granted as to the Corporate Defendants.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law in Support of Corporate Defendants' Motion to Dismiss, and those in the Brief in Support of the National Association of Realtors® to Dismiss the Complaint, the Corporate Defendants respectfully request the Court enter an Order granting this Motion and dismissing all claims pled in the Complaint against the Corporate Defendants pursuant to Federal Rule of Civil Procedure 12(b)(6).

Dated: May 17, 2019

Respectfully submitted,

Counsel for Homeservices of America, Inc.

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CERTIFICATE OF SERVICE

I, Kenneth M. Kliebard, an attorney, certify that on May 17, 2019, I caused the foregoing document to be served electronically on all parties of record via this Court's CM/ECF system.

Dated: May 17, 2019

/s/ Kenneth M. Kliebard
Kenneth M. Kliebard