

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA**

DR. MARK GEIER and DAVID GEIER )  
14 Rodgate Court )  
Silver Spring, Maryland 20905, )

Plaintiffs, )

v. )

DEPARTMENT OF HEALTH AND HUMAN )  
SERVICES )  
200 Independence Avenue, SW )  
Washington, DC 20201 )

and )

DR. SARAH K. PARKER and DR. JAMES TODD )  
Children’s Hospital – Department of Pediatrics )  
1056 East 19<sup>th</sup> Avenue )  
Denver, CO 80218 )

and )

DR. BENJAMIN SCHWARTZ and )  
DR. LARRY PICKERING )  
National Vaccine Program Office )  
Department of Health and Human Services )  
200 Independence Avenue, SW – Room 725 )  
Washington, DC 20201 )

and )

THE AMERICAN ACADEMY OF PEDIATRICS )  
601 13<sup>th</sup> Street, NW )  
Suite 400- North )  
Washington, DC 20005, )

Defendants. )

Case No. 1:05CV01749  
Judge Richard W. Roberts

**DEFENDANTS PARKER AND TODD'S  
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Defendants, Sarah K. Parker, M.D. and James Todd, M.D., submit their Motion to Dismiss for lack of personal jurisdiction and state as follows:

1. On August 31, 2005, plaintiffs filed a complaint in U.S. District Court for the District of Columbia against the Department of Health and Human Services, the American Academy of Pediatrics, Drs. Benjamin Schwartz and Larry Pickering of the Center for Disease Control and Prevention in Atlanta, Georgia and Drs. Sarah K. Parker and James Todd of the University of Colorado Health Sciences Center and the Children's Hospital in Denver, Colorado.

2. Plaintiffs allege various common law claims against Dr. Parker and Dr. Todd arising out their authorship, with Drs. Schwartz and Pickering, of an article entitled "Thimerosal-Containing Vaccines and Autistic Spectrum Disorder: A Critical Review of Published Original Data," published in the September 2004 edition of *Pediatrics*. The article evaluated publications based upon original data that suggested an association between thimerosal-containing vaccines and autism, including several articles authored by plaintiffs.

3. This Court does not exercise general jurisdiction over Defendants Parker and Todd pursuant to D.C. Code §13-422, or specific jurisdiction pursuant to the District of Columbia's long-arm statute, D.C. Code §13-423.

4. This motion is based on the accompanying Memorandum of Points and Authorities in Support of Defendant Parker's and Defendant Todd's Motion to Dismiss for Lack of Personal Jurisdiction and the Declarations of Dr. Parker and Dr. Todd.

For the reasons stated in this motion and the Statement of Points and Authorities in Support of Defendant Parker's and Defendant Todd's Motion to Dismiss for Lack of Personal Jurisdiction, Defendants Parker and Todd respectfully request this Court to dismiss each of plaintiffs' claims against them pursuant to Fed.R.Civ.P. 12(b)(2).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing **Defendants Parker and Todd's Motion to Dismiss for Lack of Personal Jurisdiction** was served electronically and sent by first-class postage pre-paid mail, this \_\_\_ day of October, 2005

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