

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

KARL L. DAHLSTROM

PLAINTIFF

VS.

RICHARD DAWKINS, AND THE  
RICHARD DAWKINS FOUNDATION  
FOR REASON AND SCIENCE

DEFENDANTS

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CIVIL ACTION NO. 4:15-CV-384-ALM-  
CAN

JURY

**DEFENDANT THE RICHARD DAWKINS FOUNDATION FOR REASON AND  
SCIENCE’ RESPONSE TO PLAINTIFF’S MOTION TO STRIKE**

**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, The Richard Dawkins Foundation for Reason and Science, and files this Response to Plaintiff’s Motion to Strike the Foundation’s Motion to Dismiss, and in support thereof respectfully shows the Court as follows:

**1.**

In the Motion to Strike, Plaintiff contends the Foundation lacks standing to file an answer or motion because it is not authorized to conduct business in Texas, and thus, has forfeited its right to defend itself in this lawsuit. The Foundation however, is not required to register with the State of Texas because it does not transact business in Texas. *See* Tex. Bus. Org. Code §§ 9.001, 9.251 (West 2006); Declaration of Robyn Blumner at ¶¶ 7-18.

**2.**

Even assuming, *arguendo*, Defendant was required to register in Texas, the failure of a foreign entity to register does not prevent the entity from defending an action, suit, or proceeding in a court in this state. Tex. Bus. Org. Code § 9.051(c)(2) (West 2006).

3.

Plaintiff's Motion to Strike supports the arguments raised in Defendants' Motion to Dismiss under Fed. R. Civ. P. 12(b)(2) that this Court lacks personal jurisdiction over Defendants.

**BASED ON THE ABOVE**, the Foundation respectfully requests that the Court deny Plaintiff's Motion to Strike, grant Defendants' Motion to Dismiss all claims against them, dismiss Plaintiff's Complaint with prejudice, and for such other and further relief to which it may show itself justly entitled.

Respectfully submitted,

*/s/ Bruce S. Campbell*

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ATTORNEY FOR DEFENDANTS RICHARD  
DAWKINS, AND THE RICHARD DAWKINS  
FOUNDATION FOR REASON AND SCIENCE

**CERTIFICATE OF SERVICE**

I hereby certify that on August 7, 2015 District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to all attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means and to Pro Se Plaintiff as addressed below.

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*/s/ Bruce S. Campbell*

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