

SENT VIA EMAIL

Date: [Current Date]

[Opposing Counsel Name]

[Law Firm Name]

[Address]

[City, State, Zip]

RE: [Case Name]; Case No. [Case Number]

Subject: Meet and Confer Regarding Defendant's Anticipated Motion to Dismiss

Dear [Opposing Counsel Name],

Pursuant to [Local Rule Number/Code], I am writing to meet and confer regarding Defendant [Defendant Name]'s intent to file a Motion to Dismiss the Complaint for Breach of Contract filed on [Date].

Based on our review of the Complaint, we believe the following deficiencies warrant dismissal:

- **Failure to Identify Specific Contractual Provisions:** The Complaint fails to identify the specific terms or provisions of the contract that were allegedly breached.
- **Failure to Plead Performance:** The Complaint does not allege that Plaintiff performed its obligations under the contract or that such performance was excused.
- **Lack of Cognizable Damages:** The allegations regarding damages are speculative and fail to state a causal connection to the alleged breach.
- **[Optional: Statute of Limitations/Failure to Attach Contract]:** [Briefly describe additional legal deficiency].

The purpose of this letter is to determine whether Plaintiff is willing to voluntarily dismiss the Complaint or file an amended complaint to address these deficiencies, thereby avoiding the necessity of motion practice.

I am available to discuss this matter via telephone on [Date] at [Time]. Please let me know if this time works for you, or propose an alternative time no later than [Date].

If we are unable to reach an agreement, Defendant intends to proceed with the filing of its Motion to Dismiss on or before [Filing Deadline].

Sincerely,

[Your Name]

[Your Law Firm]

[Your Phone Number]

[Your Email]