

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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MILTON F. WRIGHT et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 05-1391 (RWR)
)	
SYNAGRO MID-ATLANTIC et al.,)	
)	
Defendants.)	
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ORDER GRANTING MOTION TO TRANSFER VENUE

Defendants have filed a motion pursuant to Rule 12(b)(3), Fed. R. Civ. P., to dismiss this federal question action for improper venue under 28 U.S.C. § 1391(b) or, alternatively, to transfer venue to the District of Maryland pursuant to 28 U.S.C. § 1404(a), where the complaint could have been filed. Plaintiffs do not oppose the motion to transfer and have stipulated to a transfer to the District of Maryland.

Defendants' uncontroverted affidavits and memorandum establish that not all of the defendants are residents of the District of Columbia, that no event or omission giving rise to the claims occurred in the District of Columbia, and that many of the events giving rise to the claims occurred in the District of Maryland. Accordingly, defendants have shown that venue could lie in the District of Maryland and that none of the three

alternative venue requirements of 28 U.S.C. § 1391(b) can be satisfied by venue in the District of Columbia.

Because the undisputed facts demonstrate that venue is not proper in the District of Columbia, that venue in the District of Maryland would be proper, and that the convenience of the parties and witnesses and the interests of justice would be served by a transfer, it is hereby

ORDERED that defendants' motion to transfer venue pursuant to 28 U.S.C. § 1404(a) to the District of Maryland be, and hereby is, GRANTED. The Clerk is directed to transfer this case to the United States District Court for the District of Maryland.

SIGNED this 22nd day of September, 2005.

/s/
RICHARD W. ROBERTS
United States District Judge