

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION

GEORGE T. KELLY, III, and  
THOMAS BOOGHER,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

THE ALIERA COMPANIES, INC., formerly  
known as Alieria Healthcare, Inc., a Delaware  
corporation; and TRINITY HEALTHSHARE,  
INC., a Delaware corporation,

Defendants.

Civil Action No. 3:20-CV-05038-MDH

**PLAINTIFFS' MOTION TO DISMISS**

Plaintiffs move, pursuant to Federal Rule of Civil Procedure 41(a)(2), to dismiss this action. Both defendants are bankrupt. Defendant Trinity Healthshare, Inc (“Trinity”), later known as Sharity Ministries, Inc., entered bankruptcy in July 2021. *See In re Sharity Ministries, Inc.*, United States Bankruptcy Court for the District of Delaware, Case No. 21-11001-TMH. Defendant The Alieria Companies, Inc. (“Alieria”) entered bankruptcy in December 2021, in *In re The Alieria Companies, Inc.*, United States Bankruptcy Court for the District of Delaware, Case No. 21-11548-TMH. Plans have been confirmed in both bankruptcies that resolve the claims in this case.

The Court of Appeals dismissed the appeals of both Trinity and Alieria, and Mandates have now issued. Dkt. Nos. 107 (Trinity) and 113 (Alieria).

DATED: April 15, 2024.

/s/ Eleanor Hamburger

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2024, I filed the foregoing document via the Court's ECF system, which will cause a true and correct copy of the same to be served electronically on all ECF-registered counsel of record.

/s/ Eleanor Hamburger  
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