

Notice on Motion to Dismiss Data Provided by the Administrative Office

The Administrative Office has previously posted statistical information collected by its Statistics Division on the number of motions to dismiss filed, granted, and denied before and after *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007), and *Ashcroft v. Iqbal*, 129 S. Ct. 1937 (2009). The purpose was to give the Rules Committees and others information on the effect of these decisions while more complete and precise information could be gathered and studied. The Federal Judicial Center has now released its study of motions to dismiss under Rule 12(b)(6), available at [http://www.fjc.gov/public/pdf.nsf/lookup/motioniqbal.pdf/\\$file/motioniqbal.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/motioniqbal.pdf/$file/motioniqbal.pdf). That study involved review of underlying motions to dismiss and orders in a large number of cases, providing more precise information than the AO statistics. The Center is continuing its work, with a focus on cases in which motions were granted with leave to amend. Because the FJC data and analysis are now available, there is no present need for the AO to collect and post statistics on motions to dismiss. The Rules Committees will continue studying the Center's recent and forthcoming work and the case-law developments.