IN THE CIRCUIT COURT OF CASS COUNTY, MISSOURI

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CITIZENS FOR TRANSPARENCY AND ACCOUNTABILITY, ET AL.,

Plaintiff,

VS.

WESTERN CASS FIRE PROTECTION DISTRICT, *ET AL.*,

Case No. 22CA-CC00219

Division 2

Defendants.

JUDGMENT

ON THIS 14TH DAY OF JUNE, 2023, following eight (8) days of trial to the Court and the close of Plaintiffs' evidence, Defendants' Motion for Judgment pursuant to Missouri Supreme Court Rule 73.01(b) comes before the Court. After consideration of the testimony of Plaintiffs' witnesses, the exhibits admitted during Plaintiffs' case-in-chief, the arguments of counsel and applicable law, being fully advised in the premises the Court hereby GRANTS Defendants' Motion for Judgment in part.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment in favor of Defendants and against Plaintiffs be had and is entered as to Counts I through V of Plaintiff's Second Amended Petition.

Count II of Defendants' Counterclaim was voluntarily dismissed without prejudice prior to the commencement of trial.

Count VI of Plaintiffs' Second Amended petition and Count I of Defendants' Counterclaim both seek declaratory judgment as to the number and terms of directors of Defendant Western Cass Fire Protection District. Based upon the stipulation of the parties IT IS FURTHER ORDERED, ADJUDGED, DECREED, AND DECLARED as follows:

FILED Cass County Circuit Court 6/26/2023, 11:16 AM A. The number of Directors constituting the Board of Directors of Western Cass Fire Protection District is five (5); and

B. The terms of the Directors of Western Cass Fire Protection District are declared to be as follows:

- 1. Director E (Kerri VanMeveren) Office up for election April 8, 2025.
- 2. Director A (Sue Hosterman) Office up for election April 8, 2025.
- 3. Director D (John Webb) Office up for election April 6, 2027.
- Director C (Darvin Schildknecht) Office up for election April 6,
 2027.
 - 5. Director B (Tom Reintjes) Office up for election April 3, 2029.

Costs of this action are hereby assessed against Plaintiffs.

DATED THIS <u>26</u> DAY OF JUNE, 2023.

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Hon. R. Michael Wagner, Circuit Court Judge