

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI, AT KANSAS CITY
SIXTEENTH JUDICIAL CIRCUIT**

Janice Barrier and Sherie Schild; Lisa Layton-)
Brinker and JoDe Layton-Brinker; Zuleyma)
Tang-Martinez and Arlene Zarembka; James)
MacDonald and Andrew Schuerman; Elizabeth)
Drouant and Julikka LaChe; Ashley Quinn and)
Katherine Quinn; Adria Webb and Patricia)
Webb; and Alan Ziegler and LeRoy Fitzwater,)
)
Plaintiffs,)

v.)

Gail Vasterling, in her official capacity as)
Director of the Missouri Department of Health)
and Senior Services; Chris Koster, in his official)
capacity as Attorney General for the State of)
Missouri; Jeremiah W. Nixon, in his official)
capacity as Governor for the State of Missouri;)
and City of Kansas City, Missouri, a municipal)
corporation and political subdivision of the)
State of Missouri,)
)
Defendants.)

No. 1416-CV03892

Division 6

MOTION FOR SUMMARY JUDGMENT

Come now Plaintiffs, pursuant to Missouri Rule of Civil Procedure 74.04(a), and move this Court to enter summary judgment in their favor. As described in Plaintiffs Suggestions Support, there is no genuine dispute as to facts underlying Plaintiffs’ right to judgment, pursuant to 42 U.S.C. § 1983, that Missouri’s laws denying recognition to the marriages of same-sex couples that have been legally entered into in other jurisdictions—§§ 451.022 & 104.012 RSMo.; Mo. Const. art. I, § 33— violate the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

In support of this motion and in compliance with Missouri Rule of Civil Procedure 74.04(c)(1), Plaintiffs attach their Statement of Uncontroverted Material Facts hereto and file separately their suggestions in support of this motion.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

Certificate of Service

I certify that a copy of the forgoing was filed electronically with the Jackson County Circuit Court and made available to counsel of record on April 22, 2014.

/s/ Anthony E. Rothert_____