

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI
 TWENTY-FIRST JUDICIAL CIRCUIT

Stephanie Michael,)
)
 Plaintiff,)
)
 v.)
)
 Robinwood West Community)
 Improvement District,)
)
 SERVE: Stephan O'Rourke)
 President)
 Robinwood West Community)
 Improvement District)
 1602 Fontana Drive)
 St. Louis, Missouri 63146,)
)
 Defendant.)

NO.: _____
 DIVISION: _____

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12SL-0004415

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 JOAHN M. GILMER
 CIRCUIT CLERK
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 OF
 ST. LOUIS
 COUNTY
 CIRCUIT COURT

PETITION

1. This action is brought pursuant to the Missouri Sunshine Law, Chapter 610 of the Missouri Revised Statutes, to require public disclosure of certain documents maintained by the Robinwood West Community Improvement District.
2. This Court has jurisdiction over this action pursuant to MO. REV. STAT. § 610.100, *et seq.*
3. This Court has jurisdiction to issue injunctions to enforce provisions of the Sunshine Law pursuant to MO. REV. STAT. § 610.030.
4. Venue for this action is proper in this Court because Robinwood West Community Improvement District is a local government entity in St. Louis County.

Parties

5. Plaintiff, Stephanie Michael, maintains a residence within Robinwood West Community Improvement District, which residence is located in St. Louis County, Missouri.
6. Defendant, Robinwood West Community Improvement District, is a local governmental entity located in St. Louis County.

Factual Allegations

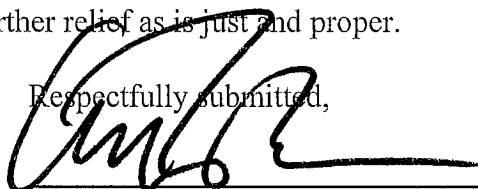
7. Defendant is a “[p]ublic governmental body” within the definition of MO. REV. STAT. § 610.010(4).
8. Plaintiff is concerned with what she views as Defendant’s wasteful spending, pool-safety issues, misuse of government resources, and lack of control and accounting procedures related to Defendant’s operation of a pool.
9. On various dates, including August 27, 2012, Plaintiff directed to Defendant requests for public records pursuant to the Sunshine Law.
10. In her August 27, 2012, correspondence, Plaintiff requested, *inter alia*, “[c]opies of all 2012 Pool Membership Forms (resident and Non-Resident)[.]”
11. The August 27, 2012, request for copies of pool membership forms was explicitly made pursuant to the Missouri Sunshine Law.
12. The pool membership forms are “public records” within the meaning of MO. REV. STAT. § 610.010(6).
13. No information contained within the pool membership forms must be closed pursuant to MO. REV. STAT. § 610.021.

14. No information contained within the pool membership forms may be permissibly closed pursuant to MO. REV. STAT. § 610.021.
15. On or about August 22, 2012, Defendant's attorney advised officials of Defendant that he could locate no exception in the Sunshine Law that justifies withholding any of the requested information.
16. On or about October 18, 2012, Brenda L. Siegler, Sunshine Law Coordinator for the Attorney General of Missouri, wrote to Defendant requesting that, in accordance with the Sunshine Law, Defendant provide Plaintiff "with a written statement of the ground for such denial [of disclosure of information] with reference to the specific provision of law under which access is denied[.]"
17. Defendant has previously produced some of the information it now seeks to redact in response to a September 9, 2012, Sunshine Law request by another resident.
18. As of November 20, 2012, despite repeated requests, Defendant has refused to provide unredacted copies of requested records.
19. As of November 20, 2012, despite repeated requests, Defendant has failed to specify any exception in the Sunshine Law that permits it to withhold the requested records or redact any portion of the requested records.
20. Defendant's failure to produce copies of unredacted public records and to specify any exception in the Sunshine Law are purposeful, or, in the alternate, knowing, violations of the Sunshine Law.

WHEREFORE, Plaintiff prays that this Court enter judgment in her favor and against Defendant and:

- A. Declare that the records requested by Plaintiff on August 27, 2012, are public records under the Sunshine Law and are not subject to any exception that would require, or permit, Defendant to close the records or any portion thereof;
- B. Enter an injunction requiring Defendant to provide Plaintiff unredacted copies of the public records she requested on August 27, 2012;
- C. Find Defendant purposely, or, in the alternate, knowingly, violated the Sunshine Law by (a) refusing to provide Plaintiff with unredacted copies of the requested public records and (b) refusing to provide Plaintiff with a statement of the reasons for the failure to provide unredacted copies of the requested public records that includes citation to the specific provision of law under which access is denied;
- D. Impose a civil penalty against Defendant pursuant to the Sunshine Law;
- E. Award Plaintiff's attorneys' fees and costs of litigation as authorized by the Sunshine Law; and
- F. Grant to Plaintiff such other and further relief as is just and proper.

Respectfully submitted,



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