

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS

**PROTECT FAYETTEVILLE, f/k/a REPEAL 119;
PAUL SAGAN; PETER TONNESSEN;
and PAUL PHANEUR**

FILED FOR RECORD
2015 SEP 29 PM 5:00
PLAINTIFFS
K. S. ALVAREZ

vs. Case No.: CV-15-1510-1

**THE CITY OF FAYETTEVILLE, WASHINGTON, ARKANSAS;
LIONELD JORDAN, in his official capacity as MAYOR OF THE
CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS;
ADELLA GRAY, SARAH MARSH, MARK KINION, MATTHEW
PETTY, JUSTIN TENNANT, MARTIN W. SCHOPPMAYER JR., JOHN
LA TOUR AND ALAN LONG, in their official capacities as ALDERMEN
OF THE FAYETTEVILLE CITY COUNCIL; THE HON. RENEE
OELSCHLAEGER, THE HON. MAX DEITCHLER, AND THE HON.
BILL ACKERMAN, in their official capacities as the COMMISSIONERS
of the WASHINGTON COUNTY ELECTION COMMISSION** DEFENDANTS

MOTION TO DISMISS WITHOUT PREJUDICE

COMES NOW the Plaintiffs, Protect Fayetteville, et. al., by and through their attorneys, Story Law Firm, PLLC, and for their Motion to Dismiss without Prejudice against Separate Defendants, Washington County, Arkansas, Hon. Renee Oelschlaeger, The Hon. Max Deitchler, And The Hon. Bill Ackerman, In Their Official Capacities As The Commissioners Of The Washington County Election Commission and pursuant to Rule 41 of the Arkansas Rules of Civil Procedure states as follows:

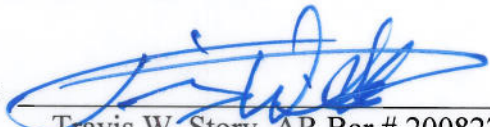
1. On August 31, 2015, Plaintiffs filed their Verified Complaint and Motion for Declaratory Judgment against all the Defendants.
2. The Plaintiffs move this Court to dismiss their Complaint against the Separate Defendants, Washington County, Arkansas, Hon. Renee Oelschlaeger, The Hon. Max Deitchler, And The Hon. Bill Ackerman, In Their Official Capacities As The

Commissioners Of The Washington County Election Commission pursuant to Ark. R.
Civ. P. 41(a).

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs, pray that the Court grant this
Motion and that the Court dismiss without prejudice the Complaint of the Plaintiff pursuant to
Ark. R. Civ. P. 41(a) against the Separate Defendants, Washington County, Arkansas, Hon.
Renee Oelschlaeger, The Hon. Max Deitchler, And The Hon. Bill Ackerman, In Their Official
Capacities As The Commissioners Of The Washington County Election Commission.

Respectfully Submitted,

By:


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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I, Travis W. Story, state on oath that I have sent a true and correct copy of the foregoing
Motion to Dismiss without Prejudice to the following counsel of record in the foregoing matter
by delivering the same via Email on this 29 day of September 2015.

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