

IN THE CIRCUIT COURT OF COLE COUNTY MISSOURI

| | | |
|-----------------------------|---|------------------|
| CLAY COUNTY COMMISSION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 19AC-CC00055 |
| v. |) | |
| |) | Div. 1 |
| NICOLE GALLOWAY, AUDITOR OF |) | |
| THE STATE OF MISSOURI, |) | |
| |) | |
| Defendant. |) | |

**JOINT STIPULATED MOTION AND PROPOSED ORDER REGARDING
SUBPOENA DATED JANUARY 31, 2019**

Plaintiff Clay County Commission (the “County”) and Defendant Nicole Galloway, Auditor of the State of Missouri (“the State Auditor’s Office”) jointly move the Court to enter an Order regarding the status of the Subpoena dated January 31, 2019.

1. On January 31, 2019, this action was filed by the County seeking injunctive and other relief related to a pending audit of the County by the State Auditor’s Office. On that same day, the State Auditor's Office served a subpoena on the County to produce certain records in connection with this audit.

2. The subpoena commands the production of the following: "All documentation (minutes) of meetings of the Clay County Commission for the calendar years of 2017 and 2018." The subpoena also commands the appearance of a corporate representative of the County to appear and testify.

3. The Parties stipulate that the duty to appear and to produce records at issue in the subpoena may be affected by rulings of this Court in this case.

4. The Parties agree that it is in the interest of judicial economy that the subpoena should be stayed, and that no action shall be taken to enforce the subpoena, until such further order of this Court.

JOINTLY SUBMITTED THIS 4th DAY OF FEBRUARY 2019:

/s/ W. Joseph Hatley

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Attorney for Defendant Galloway

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ORDER REGARDING SUBPOENA DATED JANUARY 31, 2019

On this _____ day of February 2019, the Court takes up the Joint Stipulated Motion and Proposed Order Regarding Subpoena Dated January 31, 2019. Having considered the matter, the Court **GRANTS** said motion.

IT IS HEREBY ORDERED that the January 31, 2019 Subpoena issued by Defendant Nicole Galloway, Auditor of the State of Missouri, directed to the Clay County Commission shall be stayed, and that the County shall not be required to appear, testify, or produce records under the January 31, 2019 subpoena, and that the Auditor shall take no action to enforce said subpoena, until such time that the Court makes an order allowing for the same.

Hon. Jon Beetem
Circuit Judge

**THE PRECEDING PROPOSED ORDER WAS JOINTLY SUBMITTED BY THE
PARTIES**