

**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
THIRD JUDICIAL DISTRICT**

HONORABLE ROBERT FAIRCHILD, CHIEF
JUDGE, 7TH JUDICIAL DISTRICT, *et al.*,
Plaintiffs,

vs.

THE STATE OF KANSAS,
Defendant.

Case No. 2015-CV-000905

**DEFENDANT'S MOTION TO DISMISS, OR,
IN THE ALTERNATIVE, TO STAY THE PROCEEDINGS**

Defendant State of Kansas, by and through its undersigned counsel, respectfully moves to dismiss this action for lack of subject matter jurisdiction pursuant to K.S.A. 60-212(b)(1). In the alternative, Defendant moves to stay all proceedings until March 15, 2016, the earliest date upon which any of the Plaintiffs' claims may turn ripe. In support of its motion, Defendant has filed a Memorandum in Support of Defendant's Motion to Dismiss, which is incorporated by reference.

Respectfully Submitted,

By /s/ Bradley J. Schlozman
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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of November 2015, I electronically filed the foregoing DEFENDANT'S MOTION TO DISMISS, OR, IN THE ALTERNATIVE, TO STAY THE PROCEEDINGS with the Clerk of the Court using the eFlex System, and mailed a copy via the U.S. postal service to the following individuals:

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And the original was filed with the Court using the eFlex System at:

Angela M. Callahan, Clerk of the Court
Shawnee County District Court
Third Judicial District
200 SE 7th Street, Suite 209
Topeka, Kansas 66603
<https://filer.kscourts.org/>
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By /s/ Bradley J. Schlozman