

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

Jonathan Cole, Katie Sullivan, and)
Nathaniel Faflick,)
)
Plaintiffs,)
)
)

vs.)

Case No. 5:19-cv-04028

)
Duane Goossen, in his official capacity)
as Secretary of Administration; Tom)
Day, in his official capacity as)
Legislative Administrative Services)
Director; and)
Herman Jones, Superintendent)
of Kansas Highway Patrol,)
)
Defendants.)

**STIPULATED JOINT MOTION TO WITHDRAW MOTION FOR TEMPORARY
RESTRAINING ORDER**

Together, the parties file this stipulated motion to withdraw the request for a Temporary Restraining Order and the related emergency hearing that has been set for Monday, April 22, 2019. Since filing the motion for a TRO, the parties have been in communication regarding a temporary solution that would allow Plaintiffs to engage in nondisruptive protests in the Kansas Statehouse during the legislative veto session which is scheduled to begin on Wednesday, May 1, 2019. Defendants have agreed that individuals and small groups of under five individuals will not be subject to regulations or policies requiring them to obtain a permit to engage in nondisruptive protests at the Statehouse for the duration of the veto session. Additionally,

Defendants have agreed that individuals will be permitted to display handheld signs in the Statehouse during the legislative veto session. Given this agreement, an emergency hearing or injunctive relief is not necessary at this time.

However, the parties also agree that a long-term solution remains necessary to resolve the constitutionality of the challenged regulations and policies. To this end, the parties jointly request that a hearing on Plaintiffs' motion for preliminary injunction be held on June 10, 12, or 13, 2019 depending on the Court's availability. The parties also stipulate that they will engage in limited, expedited discovery in advance of the preliminary injunction hearing and will work together to reach stipulated deadlines for the exchange of documents.

WHEREFORE, and for the reasons stated above, the parties respectfully request that the Court grant their stipulated joint motion to withdraw the request for a TRO and the related emergency hearing. Parties also respectfully request that the Court grant their request for a hearing on Plaintiffs' motion for a preliminary injunction to be held on June 10, 12, or 13, 2019 depending on the Court's availability.

Respectfully submitted,

/s/ Lauren Bonds

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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, on this 19th day of April, 2019, which will send a notice of electronic filing to all attorneys of record.

/s/ Lauren Bonds

Lauren Bonds