IN THE CIRCUIT COURT OF
FRANKLIN COUNTY, MISSOURI

Arthur L. LeBeau, Jr. Resident Franklin County Ronald A. Keeven Resident Franklin County Eric R. Reichert Resident Franklin County Plaintiffs, vs. Commissioners of Franklin County Missouri Defendants	)	No: Division

PETITION FOR PREVENTIVE INJUNCTION
AGAINST COUNTY RESOLUTION 2012-117

COMES NOW, plaintiffs Arthur L. LeBeau, Jr, Ronald A. Keeven, and Eric R. Reichert, all being residents of and registered voters in the County of Franklin, Missouri, do herewith file this pleading for a Preventive Injunction against said County. The body of Commissioners having been duly elected by the voters to carry out the statutes as legislated and said commissioners are herewith abrogating their duties and those statutory directives in the proposed passage of Resolution 2012-117.at the commission meeting scheduled for 10:00AM, Thursday May 3rd, 2012. The arguments in support of injunctive relief are more fully developed below, as the verbiage in and of itself in said Resolution 2012-117 is not fully detailed, nor authority for its proper passage is so incorporated.

A copy of said Resolution is attached for reference.

1. In Section 2. of said instrument it is ambiguous in its reference to

" ***comply with the requirements of Rule 15c-12(b)(1) of the Securities and Exchange***

Commission…"

From the instrument it is not known if such Rule is definitely applicable to the Certificates of Participation as stated in the first "Whereas" paragraph.

2. Then, ***…the Presiding Commissioner is hereby authorized, if requested, to provide the Underwriter a letter or certification to the effect that the County deems the information contained in the Preliminary Official Statement to be "final" as of its date. Except for the omission of such information as is permitted by Rule 15c2-12(b)(1) and to take such other actions or execute such other documents as such officer in its*** [sic] ***reasonable judgment deems necessary to enable the Underwrite to comply with the requirements of such Rule"***

3. The County Commission cannot give authority to the Presiding Commissioner that is not provided by statute to so give. If Section 49 of Missouri Statutes Revised is studied, nothing allows the commission to give to one commissioner the authority that is vested in the entire Commission Body. Every sub-section of 49.00 RSMO speaks as to the Commission acting collectively and not as an individual commissioner.

4. Upon further perusal of the above quote as stated in item #2, the following questions thus arise:.

a. What is the "information" in the Preliminary Official Statement, no explanation is given as to what the information might or might not be, nor what the Preliminary Official Statement is in reference to.

B.. What is the information that is permitted to be omitted by Rule 15c2-12(b)(1) --nothing is specified and is it left to the reader of the Rule to make such a determination? Yet said rule is not quoted but only by reference.

c. The instrument also gives the officer to take "…such other actions or execute such other documents .." in (its) reasonable judgment to enable the Underwriter to comply with the Rule. What is Underwriter cannot comply what other directions can

the "Presiding" commissioner make? Especially since he has no statutory authority to act as an individual for the commission body.

Plaintiffs have clearly demonstrated by sound argument that said Resolution Action Item #2012-117 is not in accordance with law and is ambiguously written in a most flagrant manner.

Thus said plaintiffs pray this court issue its writ for a Preliminary Injunction against the Commissioners of Franklin County in said matter and further if deemed allowed by law the expense of filling this action

Respectively submitted:

ARTHUR L.LeBEAU. Jr.

Villa Ridge, MO 63089

RONALD A. KEEVEN

New Haven, MO 63068

ERIC R. REICHERT

Villa Ridge, MO 63089