

**IN THE DISTRICT COURT OF BOURBON COUNTY, KANSAS
CIVIL DEPARTMENT**

DAVID BEERBOWER, LEROY KRUGER,
BRANDON WHISENHUNT, BOA
CASPER, KATIE CASPER, TIMOTHY
EMERSON, SAMUEL TRAN, KAREN
TRAN, AND MICHAEL WUNDERLY,

Plaintiffs,

vs.

Case No. BB-2024-CV-000075

THE BOARD OF COUNTY
COMMISSIONERS OF BOURBON
COUNTY KANSAS, HINTON CREEK
SOLAR, LLC, TENNYSON CREEK
SOLAR LLC, AND TENNYSON CREEK
SOLAR II LLC,

Defendants.

**WITHDRAWAL OF THE BOARD OF COUNTY COMMISSIONERS
OF BOURBON COUNTY, KANSAS' MOTION TO DISMISS**

COMES NOW, the Board of County Commissioners of Bourbon County, Kansas, (the
“Board”) and hereby withdraws its Motion to Dismiss filed December 30, 2024.

Respectfully submitted,

**FISHER, PATTERSON, SAYLER &
SMITH, LLP**

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ATTORNEY FOR DEFENDANT BOARD
OF COUNTY COMMISSIONERS OF
BOURBON COUNTY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 26, 2025, the above and foregoing was filed with the Court using the Court's electronic filing system, which will send a notice of said filing to all counsel of record.

/s/ Jacob D. Bielenberg

Attorneys for the Board of County
Commissioners of Bourbon County.