

IN THE DISTRICT COURT OF BOURBON COUNTY, KANSAS

SUSAN E. WALKER)
Bourbon County Clerk,)
)
Plaintiff,)
)
v.) Case No. BB-2026-CV-000048
)
JAMES CRUX)
Bourbon County Attorney,)
and)
KYLE R. PARKS,)
KEVIN WAGNER, &)
LYLE K. OWENBY)
Recall Committee)
)
Defendants.)
_____)

MOTION TO DISMISS DEFENDANT RECALL COMMITTEE

COMES NOW the Plaintiff, by and through counsel Jonathan L. Ehrlich, of KN Law Group, and respectfully moves the Court to dismiss Kyle R. Parks, Kevin Wagner, and Lyle K. Owenby, collectively “Recall Committee” as defendants to this suit. In support of her motion, Plaintiff offers the following:

- (1) That under K.S.A. 60-215(a)(1)(A), any party is permitted to amend a pleading as a matter of course within 21 days after serving it.
- (2) That Plaintiff began serving her petition less than 21 days ago.
- (3) That Plaintiff filed an Amended Verified Petition for Declaratory Judgment and Injunctive Relief removing Defendant Recall Committee and all its members as named Defendants.
- (4) That Plaintiff’s amended petition’ prayer for relief no longer asks the Court for an injunction enjoining circulation of Defendant Recall Committee’s recall petition.

(5) That Plaintiff withdraws and will not argue its motions for a temporary restraining order restraining Defendant Recall Committee's recall petition from being circulated.

(6) That Defendant Recall Committee is not a necessary party to Plaintiff's amended petition's remaining claims or prayers for relief.

Respectfully Submitted By:

/s/ Jonathan L. Ehrlich

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