

IN THE CIRCUIT COURT OF COLE COUNTY

STATE OF MISSOURI

MERRIE SUZANNE LUTHER, et. al.,

Plaintiffs,

vs.

DENNY HOSKINS,

Defendant.

Case No: 25AC-CC06964

MOTION FOR TRIAL SETTING

Plaintiffs Merrie Suzanne Luther, Kenneth Chumbley, Kimberly Randolph Davis, and Rebeca Amezcua move to have this case set for trial on the earliest date convenient for the parties and the Court. *See* Local Rule 36.1. Plaintiffs are ready for trial on this straightforward matter.

In support of their motion, Plaintiffs state as follows:

1. Plaintiffs filed their lawsuit on September 12, 2025.
2. Defendant's answer is due on October 13, 2025.
3. Plaintiffs challenge the constitutionality of House Bill 1, just passed by the General Assembly. Plaintiffs' suit claims that House Bill 1 is unconstitutional because Article III, Section 45 of the Missouri Constitution only allows congressional redistricting to occur when new census data is certified to the Governor and no new census data was certified to the Governor triggering the requirement to draw new congressional districts found in Article III, Section 45.

4. Plaintiffs' suit is ripe for quick resolution. Due to the nature of the claim, the Petition poses primarily questions of law, for which there should be no serious factual dispute.

5. Therefore, Plaintiffs suggest this matter be set for a two-hour hearing in October or November, when all parties and the court are available.

WHEREFORE, Plaintiffs Merrie Suzanne Luther, Kenneth Chumbley, Kimberly Randolph Davis, and Rebeca Amezcua pray for the Court's order setting this matter for trial on the merits.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of September, 2025, I electronically filed the foregoing with the Clerk of the Court via the Court's electronic filing system which sent notification to all counsel of record.

/s/ Alixandra S. Cossette

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