

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

ELIZABETH HEALEY, *et al.*,

Plaintiffs,

v.

STATE OF MISSOURI, *et al.*,

Defendants.

Case No. 2516-CV31273

Division 8

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND
CONSOLIDATION OF TRIAL ON COUNT I WITH PRELIMINARY
INJUNCTION HEARING**

Pursuant to Missouri Supreme Court Rule 92.02, Plaintiffs move this Court for entry of a preliminary injunction prohibiting Defendants and anyone acting in concert with them from implementing, enforcing, or giving any effect to HB 1, including conducting any congressional elections under the bill. *See* HB 1, 103d Gen. Assemb., 2d Extraordinary Sess. (Mo. 2025). Plaintiffs also request a hearing on this Motion for Preliminary Injunction and request that the Court enter a clear and unambiguous order advancing and consolidating a trial on the merits of Count I of Plaintiffs' complaint with this preliminary injunction hearing, pursuant to Missouri Supreme Court Rules 92.02 and 66.02.

As described in Plaintiffs' accompanying suggestions in support, entry of a preliminary injunction is appropriate because Plaintiffs are likely to succeed on the merits of Count I of their complaint, that HB 1 violates the Missouri Constitution's

prohibition on mid-cycle congressional redistricting. In the absence of injunctive relief, Plaintiffs will face irreparable harm, and that harm to Plaintiffs outweighs any potential harm an injunction would cause to Defendants. The issuance of an injunction is also in the public interest.

To promote judicial economy, Plaintiffs also request that the Court “order the trial of the action on the merits to be advanced and consolidated with the hearing of the application for a preliminary injunction.” Mo. S. Ct. R. 92.02(c)(3); *see also* Mo. S. Ct. R. 66.02 (explaining that a court may “order a separate trial of any claim” when doing so would “be conducive to expedition and economy”). Count I of Plaintiffs’ complaint raises a pure question of law—whether Article III, Section 45 of the Missouri Constitution permits mid-decade congressional redistricting. There are no evidentiary issues related to this claim, and the Court can ensure swift and efficient resolution of the core constitutional issue in this case—which may resolve the litigation in its entirety.

WHEREFORE, Plaintiffs request this Court:

- A. Establish an expedited schedule for briefing and hearing on Count I;
- B. Advance and consolidate the trial on Count I with the preliminary injunction motion hearing and enter a permanent injunction against implementation and enforcement of HB 1, or failing that, a preliminary injunction against the implementation and enforcement of HB 1;

C. Waive bond or set bond in a nominal amount because there will be no demonstrable harm to Defendants if HB 1 is enjoined; and

D. Allow Plaintiffs such other and further relief as this Court deems just and equitable.

Dated: September 29, 2025

Respectfully submitted,

/s/ J. Andrew Hirth

J. Andrew Hirth, #57807

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** Pro hac vice applications forthcoming*