

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

RICHARD VON GLAHN,

Plaintiff,

v.

Case No.

DENNY HOSKINS, in his official
capacity,

Defendant.

MOTION FOR TRIAL SETTING

Plaintiff Richard von Glahn moves this Court to set this matter for trial on the earliest practicable date. *See* Local Rule 36.1. Plaintiff is ready for trial on this straightforward matter, which must be resolved on an expedited timeline. In support, Plaintiff states:

1. Plaintiff filed this lawsuit on August 4, 2026—the same day Defendant made the decision being challenged.
2. Plaintiff challenges, pursuant to Section 116.200, RSMo, the Secretary of State's decision to deem the referendum on House Bill 1 insufficient.
3. Plaintiff's Petition was filed within 10 days of Defendant Hoskins issuing the certificate of insufficiency, as required by § 116.200.1, RSMo.
4. Because of the Secretary's decision, the referendum on House Bill 1 will not appear on the November general election ballot, absent court intervention.
5. Defendant Hoskins is already well familiar with the legal issues raised in the Petition. Defendant Hoskins advanced the same constitutional arguments in

the federal action, *Missouri General Assembly v. von Glahn*, No. 25-cv-01535 (E.D. Mo.), which was filed October 15, 2025, and dismissed on December 8, 2025.

6. The sole basis for Defendant Hoskins' certificate of insufficiency is his assertion that the Referendum violates the Missouri and U.S. Constitutions. Defendant did not identify the number of signatures gathered as a reason for deeming the Referendum insufficient. Accordingly, the issues presented are purely legal in nature and do not require extensive factual development or discovery.

7. Challenges brought pursuant to Section 116.200, RSMo, "shall be advanced on the court docket and heard and decided by the court as quickly as possible." *Id.*

8. Courts may make changes to election ballots until "eight weeks before the date of the election." § 115.125, RSMo.

9. Therefore, this litigation must be fully resolved, including any appeals, prior to September 8, 2026.

10. Defendant will suffer no prejudice from an expedited trial setting. The legal issues are well-defined, previously briefed, and do not require discovery or additional factual investigation.

11. Plaintiff will suffer irreparable harm if the Court is unable to adjudicate this matter prior to the September 8, 2026 ballot deadline, as his constitutional referendum right will be permanently lost for the 2026 election cycle.

WHEREFORE, Plaintiff Richard von Glahn prays for the Court's order setting this matter for trial on the merits.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing will be served on Defendant by special process server, contemporaneously with service of the Petition.

/s/ Charles W. Hatfield
Attorney for Plaintiffs