



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. (JAY) NIXON
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

March 29, 2005

Ms. Gina Jameson
Circuit Clerk & Recorder of Deeds
Ralls County Circuit Court
Courthouse, Main Street
P. O. Box 444
New London, MO 63459

RECEIVED
2005 APR -1 PM 3:49
WATER PROTECTION PROGRAM

FILED

JUL 8 2008

Missouri Public
Service Commission

Re: *State of Missouri v. Ken Jaeger*; Case No. CV805-12CC

Dear Ms. Jameson:

Enclosed for filing please find an original and one copy of Plaintiff's *Request for Preliminary Injunction Hearing and Notice* in the above-referenced matter. Please return a file-stamped copy to me in the enclosed self-addressed stamped envelope. Please place this matter on the April 5, 2005, Ralls County Law Day at 9:00 a.m.

Thank you for your attention to this matter.

Sincerely,

JEREMIAH W. (JAY) NIXON
ATTORNEY GENERAL

HARRY D. BOZOIAN
Assistant Attorney General
(573) 751-8803

HDB:ka

Enclosures

c: Mike Abbott, WPCP
Irene Crawford
James F. Lemon

OPC-5

OPC Exhibit No. 5
Case No(s) SO-2008-0358
Date 6-23-08 Rptr 45

IN THE CIRCUIT COURT OF RALLS COUNTY, MISSOURI

STATE OF MISSOURI, et al.)	
)	
Plaintiffs,)	
)	
v.)	Case No. CV805-12CC
)	
KEN JAEGER,)	
)	
Defendant.)	

REQUEST FOR PRELIMINARY INJUNCTION HEARING SETTING

COMES NOW plaintiffs, by and through counsel, Assistant Attorney General, Harry D. Bozoian, and respectfully requests that a hearing on plaintiffs' Petition for Preliminary Injunction be scheduled at the court's earliest possible convenience. In support of this motion, plaintiffs state as follows:

1. That on January 19, 2005, plaintiffs filed a Petition for Preliminary Injunction, Permanent Injunction and Civil Penalties against defendant Ken Jaeger for violating the Missouri Clean Water Law, Chapter 644, RSMo, and its implementing regulations.
2. That on March 3, 2005, defendant's attorney, James F. Lemon, filed an Entry of Appearance and Acceptance of Service on behalf of defendant.
3. That pursuant to Supreme Court Rule 55.25, defendant's answer is due on April 4, 2005.
4. That unless preliminarily enjoined, the defendant will continue to violate the Missouri Clean Water Law and its implementing regulations.

WHEREFORE, plaintiff respectfully requests that a hearing on plaintiffs' Petition for Preliminary Injunction be scheduled at the court's earliest possible convenience.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON
Attorney General



HARRY D. BOZOIAN
Assistant Attorney General
MBE #37535
8th Floor, Broadway Building
P. O. Box 899
Jefferson City, MO 65102
(573) 751-8803
FAX No. (573) 751-8464

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this 27th day of March, 2005, to:

James F. Lemon
Ahrens, Hale & Lemon, LLC
800 Broadway
P.O. Box 1255
Hannibal, MO 63401


HARRY D. BOZOIAN

IN THE CIRCUIT COURT OF RALLS COUNTY, MISSOURI

STATE OF MISSOURI, et al.)	
)	
Plaintiffs,)	
)	
v.)	Case No. CV805-12CC
)	
KEN JAEGER,)	
)	
Defendant.)	

NOTICE

TO: James F. Lemon
Ahrens, Hale & Lemon, LLC
800 Broadway
P.O. Box 1255
Hannibal, MO 63401

PLEASE TAKE NOTICE that plaintiffs' Request for Preliminary Injunction Hearing Setting will be heard on April 5, 2005, at 9:00 a.m. in the Circuit Court of Ralls County or as soon thereafter as counsel may be heard.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON
Attorney General



HARRY D. BOZOIAN
Assistant Attorney General
MBE #37535
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P. O. Box 899
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