

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI
TWENTY-FIRST JUDICIAL CIRCUIT

FILED**DIV. NOV 21 2014 10**

JOAN M. GILMER
CIRCUIT CLERK ST LOUIS COUNTY

BARNEY BENNETT, JANICE SHANDS)
and GEORGE GOLDMAN,)

Plaintiffs,)

vs.)

Cause No. 14SL-CC02207

Division No. 10

LEWIS AND CLARK 195, LLC; HAL)
COLLIER; A.M.C.I., INC.; D. JERRY)
LEIGH; MISSOURI-AMERICAN)
WATER COMPANY; LEWIS AND)
CLARK TOWER CONDOMINIUM)
ASSOCIATION; STEPHANIE WHITE;)
RYAN FOSTER; TELECOM SITE)
SERVICES, INC.; STACY CLARK;)
CONDOMINIUM PROPERTY)
MANAGEMENT, INC.; SNB)
INVESTING, LLC; WORLDWIDE)
PROPERTIES, LLC; MWG)
CONTRACTING, LLC; and CANAAN)
PROPERTIES, LLC,)

Defendants.)

ORDER

**GRANTING DEFENDANT LACLEDE GAS COMPANY'S
MOTION TO DISMISS PLAINTIFFS' THIRD AMENDED PETITION**

Before the Court is Defendant Laclede Gas Company's motion to dismiss. Plaintiffs filed briefing in opposition which is also before the Court. Counsel for Laclede Gas Company and for Plaintiffs appeared for argument on the motion to dismiss November 5, 2014 and were heard.

Upon consideration of the parties' arguments, briefs, and the applicable caselaw, statutes, and regulations, the Court finds as follows: the Public Service Commission has the primary jurisdiction to hear Plaintiffs' claims against Laclede Gas Company. Laclede Gas Company's motion to dismiss is **GRANTED** and Plaintiffs' action against Laclede Gas Company is

DISMISSED. This dismissal is without prejudice to the parties' appeal of a Public Service Commission decision or enforcement action on a decision of the Public Service Commission, made pursuant to the statutory provisions providing therefor.

IT IS SO ORDERED.

DATED: November 5, 2014



Judge Michael T. Jamison 11-21-14