



19TH JUDICIAL CIRCUIT COURT

Cole County
Post Office Box 1870, 301 E. High St.
Jefferson City, Missouri 65102-1870

JON E. BEETEM
Circuit Judge

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PLEASE DELIVER THE FOLLOWING PAGE(s) TO:

NAME: John Comerford **TELE-FAX NO** 314-863-2111

LOCATION: Dowd Bennett LLP

FROM: JUDGE JON E BEETEM, **TELE-FAX #**573 634-2584

LOCATION: COURTHOUSE, JEFFERSON CITY, MO

TOTAL NUMBER PAGES (including cover sheet) 4

DATE: 6-29-09 **TIME:** 9:30 am

RE: Herschel, etal v. Nixon, etal

(If you fail to receive all pages, please call back as soon as possible)

Notice of Entry & TRO

SENDER: Cheryl

Telephone (573) 634-9192

NOTICE OF ENTRY
(SUPREME COURT RULE 74.03)

In The 19th Judicial Circuit Court, Cole County, Missouri

HENRY HERSCHEL ET AL V JEREMIAH NIXON ET AL

CASE NO : 09AC-CC00325

To: JOHN COMERFORD
7733 FORSYTH BLVD SUITE 1410
CLAYTON MO 63105

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

<u>Filing Date</u>	<u>Description</u>
29-Jun-2009	Temporary Restraining Order Temporary Restraining Order entered, same effective upon posting of bond. Case set for hearing 7/6/09 at 2:00 p.m. on preliminary injunction unless parties, counsel and the court identify a mutually agreeable alternative. Counsel to be prepared to address scheduling order. Clerk to fax TRO and notice of entry to counsel of record. JEB/cc Filed By: JON EDWARD BEETEM Hearing Scheduled Scheduled For: 06-Jul-2009 2:00 PM; JON EDWARD BEETEM; Cole Circuit Preliminary Injunction



Clerk of Court

CC: File
JEREMIAH W NIXON
JOHN COMERFORD
JOHN R WATSON
LAWRENCE G REBMAN
PETER LYSKOWSKI
RONALD R HOLLIGER
STATE OF MO OFFICE OF ADMINISTRATION

Date Printed : 29-Jun-2009

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

FILED

JUN 29 2009

BRENDA A. UMSTATT
CLERK CIRCUIT COURT
COLE COUNTY, MISSOURI

HENRY T. HERSCHEL,)
MATTHEW W. MURPHY, and)
JOHN A. TACKES,)

Plaintiffs)

v.)

JEREMIAH W. NIXON,)
JOHN R. WATSON,)
LAWRENCE G. REBMAN,)
PETER LYSKOWSKI,)
THE DIVISION OF WORKERS')
COMPENSATION OF THE)
DEPARTMENT OF LABOR AND)
INDUSTRIAL RELATIONS OF THE)
STATE OF MISSOURI, and)
THE OFFICE OF ADMINISTRATION,)
STATE OF MISSOURI)

Defendants.)

Case No. 09AC-CC00325

Division II

ORDER

This matter comes before the Court upon Plaintiffs' Motion for Temporary Restraining Order ("TRO") pursuant to Missouri Rule of Civil Procedure 92.02(a). Plaintiffs' Motion is *on the condition that Plaintiffs post bond as set below.*
GRANTED The Court finds that Plaintiffs will suffer irreparable harm in the form of the loss of their Appointments as Administrative Law Judges in the absence of this Order. Defendants (including Defendants' agents, servants, employees, attorneys and those persons in active concert or participation with Defendants) are hereby enjoined from (1) terminating Plaintiffs' service as Administrative Law Judges in the manner intended until a full adjudication of Plaintiffs' claims, and (2) engaging in any retaliatory actions against Plaintiffs, including but not limited to unnecessarily moving Plaintiffs from their current office locations; diminishing their access to staff, computers, computer email accounts and office supplies; or otherwise interfering with their

rights and privileges and salaries as Administrative Law Judges during the remainder of their service as Administrative Law Judges.

This Order shall remain in effect for a period of 15 days. Pursuant to Rule 92.02(a)(5), this Order may be extended for additional periods upon a showing by Plaintiffs that the threat of immediate and irreparable injury, loss, or damage continues to exist.

Each Plaintiff to post a bond of \$100 with the court.

SO ORDERED this 29 day of JUNE, 2009 at the hour of 0850.



The Honorable
Circuit Judge