

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
KANSAS CITY DIVISION**

KAIL MARIE and MICHELLE L. BROWN,)
and KERRY WILKS, Ph.D., and DONNA)
DITRANI,)

Plaintiffs,)

v.)

Case No. 14-cv-2518

ROBERT MOSER, M.D., in his official capaci-)
ty as Secretary of the Kansas Department of)
Health and Environment, and)

DOUGLAS A. HAMILTON, in his official ca-)
pacity as Clerk of the District Court for the 7th)
Judicial District (Douglas County),)

and)

BERNIE LUMBRERAS, in her official capaci-)
ty as Clerk of the District Court for the 18th Ju-)
dicial District (Sedgwick County),)

Defendants.)

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER

Pursuant to Fed. R. Civ. P. 65(a) and (b), Plaintiffs move for a preliminary injunction and temporary restraining order (1) enjoining Defendants and their officers, employees, and agents from enforcing article 15, section 16 of the Kansas Constitution, Kansas Statutes Annotated §§ 23-2501 and 23-2508, and any other sources of state law to exclude same-sex couples from marriage or to refuse recognition to the marriages of same-sex couples and (2) requiring Defendants and their officers, employees, and agents in their official capacities to permit issuance of marriage licenses to same-sex couples, pursuant to the same restrictions and limitations applicable to different-sex couples’ freedom to marry, and to recognize marriages validly entered into by Plaintiffs.

Respectfully submitted,

/s/ Stephen Douglas Bonney
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filed]
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ATTORNEYS FOR PLAINTIFFS

Certificate of Service

I certify that, on October 13, 2014, the foregoing document was served by e-mail on the following: Jeffrey A. Chanay, Chief Deputy Attorney General for the State of Kansas, jeff.chanay@ksag.org; Defendant Douglas A. Hamilton, Clerk of the Douglas County District Court, dhamilton@douglas-county.com; and Defendant Bernie Lumbreras, Clerk of the Sedgwick County District Court, blumbrer@dc18.org.

/s/ Stephen Douglas Bonney