

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

Kyle Lawson, et al.,)
)
 Plaintiffs,)
)
 v.) No. 4:14-cv-00622-ODS
)
 Robert Kelly,)
 Defendant.)
 _____)
)
 State of Missouri,)
)
 Intervenor.)

MOTION FOR SUMMARY JUDGMENT

Come now Plaintiffs, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, and move this Court to enter summary judgment in their favor. As described in Plaintiffs' suggestions in support, there is no genuine dispute as to facts underlying Plaintiffs' right to judgment, under to 42 U.S.C. § 1983, that Missouri's laws excluding same-sex couples from marriage—Mo. Rev. Stat. § 451.022, Mo. Const. art. I, § 33, and any other provision of Missouri statutory or common law barring same-sex couples from marrying—violate the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

Pursuant to Local Rule 7.0(g), Plaintiffs request oral argument on their motion for summary judgment.

Respectfully submitted,

/s/ Anthony E. Rothert

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Certificate of Service

I certify that a copy of the forgoing was filed electronically on September 5, 2014, and made available to counsel of record.

/s/ Anthony E. Rothert