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APP DOCKET NO. _____

2009 NOV -5 P 1:13

CLERK OF DIST. COURT
18TH JUDICIAL DISTRICT
SEDGWICK COUNTY, KS

**IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
CIVIL DEPARTMENT**

STATE EX REL. JANICE BASTON, and R.
MATTHEW JOYCE,

Plaintiffs,

Case No. 09 CV 3598

vs.

CITY OF DERBY, KANSAS a city of the
second class, and KATHLEEN SEXTON, in her
capacity as Derby City Manager,

Defendants.

(PURSUANT TO K.S.A. CHAPTER 60)

ORDER

This matter comes before the Court pursuant to Plaintiffs' "Motion for the Amendment of Petition for Declaratory Judgment Adding a Cause of Action for an Illegal Contract Entered into by Defendants in the Implementation of Derby City Ordinance 1980." Said Motion seeks leave to file an Amended Petition adding a fourth cause of action and changing the caption of the case to properly reflect the names of the complaining parties as "Janice Baston and R. Matthew Joyce, Plaintiffs."

Defendants have no objection to Plaintiffs' Motion seeking leave to file their Amended Petition and ask only that Defendants have twenty (20) days following the filing and service of said Amended Petition in which to respond to same.

WHEREUPON, the Court, after reviewing the official court file and being duly advised of the premises finds that Plaintiffs should be and they are hereby granted leave to file their Amended Petition herein.

IT IS THEREFORE BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND
DECREED that:

1. Plaintiffs shall file their Amended Petition herein and serve same on Defendants forthwith.
2. Defendants shall have twenty (20) days following their receipt of Plaintiffs' Amended Petition to respond to the Amended Petition; and,
3. The caption of these proceedings shall be changed to properly name the parties, as follows:
 - a. Janice Baston and R. Matthew Joyce, Plaintiffs,
 - b. City of Derby, Kansas, a city of the second class, and Kathleen Sexton, in her capacity of Derby City Manager, Defendants.

The Clerk of the District Court is directed to change her records accordingly.

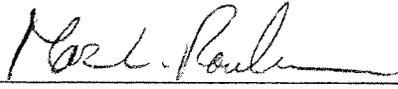
IT IS SO ORDERED.

WILLIAM WOOLLEY

DISTRICT COURT JUDGE

APPROVED BY:

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By: 
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