

IN THE CIRCUIT COURT OF THE CITY OF SAINT LOUIS, MISSOURI

DEBORAH MYERS,
Plaintiff,

vs.

SAINT LOUIS FIRE DEPARTMENT,
Defendant.

Case Number _____

PETITION

Comes now the Plaintiff, by and through undersigned counsel, for her petition against the Defendant states as follows:

1. This action is brought pursuant to RSMo. § 610.010 *et seq.*, the Missouri Sunshine Law, and seeks to compel disclosure of certain documents in the actual possession of Defendant.
2. This Court has jurisdiction over this action pursuant to RSMo. § 610.027.
3. This Court has jurisdiction to issue injunctions in order to enforce the provisions of the Missouri Sunshine Law pursuant to RSMo. § 610.030.

Parties

4. The Defendant is a governmental entity created pursuant to Article I, § 1(20) and Article XIII, § 15(c) of the City of Saint Louis and Chapter 3.24 of the Code of Ordinances of the City of Saint Louis.
5. The Defendant has a principal place of business located at 2634 Hampton, Saint Louis, Missouri.
6. Plaintiff, Deborah Myers, is an individual who has made multiple requests for disclosure of documents pursuant to the Missouri Sunshine law.

Venue

7. Venue is proper in this Court because the principal place of business of the St. Louis Fire Department, Bureau of Emergency Medical Services, is in the City of St. Louis.

Violation of RSMo. § 610.010 et seq.

8. Beginning in December 2012, Plaintiff requested public records relating to calls made to the City of St. Louis, through the St. Louis Fire Department's Bureau of Emergency Medical Services, for ambulance services at 4251 Forest Park Avenue, St. Louis, Missouri.

9. For over a year, Plaintiff has sought specific documents relating to calls for ambulance services made to the above address.

10. The Plaintiff's requests were either ignored or received untimely responses.

11. In August and September 2013, Plaintiff received letters constituting denials of her requests, in violation of the provisions of RSMo. § 610.010 et seq., from the City of St. Louis Law Department on behalf of the St. Louis Fire Department.

12. On January 14, 2014, Plaintiff again requested from the Defendant access to and copies of all records for any calls for service at the Planned Parenthood facility located at 4251 Forest Park Avenue, Saint Louis, Missouri 63108, on certain specific dates, together with the 911 calls relating to any of the incidents occurring on those specific dates which were not initiated by way of a complaint or report of a crime. In the alternative, Plaintiff requested all incident reports and computer aided dispatch transcripts for said address since 2009.

13. A copy of the Plaintiff's request, as set forth above, is attached to this Petition as Plaintiff's Exhibit A and is incorporated by reference as if set forth fully herein.

14. The Defendant has failed and refused to provide the information requested by the Plaintiff in violation of the provisions of RSMo. § 610.010 *et seq.* Instead, months later, the Defendant has provided heavily redacted documents, so as to create the façade of compliance with the provisions of RSMo. § 610.010 *et seq.*, yet without providing any actual information as required by law.

15. The Defendant has knowingly and purposefully violated the provisions of RSMo. § 610.010 *et seq.*

WHEREFORE the Plaintiff prays this Court issue such injunctive relief as is necessary to enforce the provisions of RSMo. § 610.010 *et seq.*, order the Defendant to provide all of the information requested by the Plaintiff, assess a civil penalty against the Defendant in an amount up to \$5,000, award the Plaintiff all reasonable costs and attorney fees incurred in the litigation of the above captioned case, and for all such further relief as this Court deems fair and just.


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