

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

Turtle Island Foods, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:18-cv-4173-FJG
	)	
Locke Thompson, in his official capacity as	)	
Cole County Prosecuting Attorney and	)	
on behalf of all Missouri Prosecuting Attorneys,	)	
	)	
Defendant,	)	
	)	
State of Missouri,	)	
	)	
Intervenor	)	

**JOINT MOTION TO STAY PROCEEDINGS**

Plaintiffs, Defendant, and Intervenor, jointly and respectfully request that this Court stay further proceedings in this matter during the pendency of the Eighth Circuit appeal from this Court's September 30, 2019, Order denying a preliminary injunction (ECF No. 66). In support, the parties state that:

1. The Court's September 30, 2019 Order was appealable pursuant to 28 U.S.C. § 1292(a)(1), and Plaintiff timely filed a Notice of Appeal (ECF No. 67).
2. The Eighth Circuit Court of Appeals has assigned case number 19-3154 to the appeal.
3. Pursuant to Federal Rule of Appellate Procedure 8, a party may request a stay of an order in the District Court while an appeal is pending. *See also Ryan v. Gonzales*, 133 S. Ct. 696, 708 (2013) ("A district court may stay a case pending before it by virtue of its inherent power to control the progress of the cause so as to maintain the orderly processes

of justice. . . . [T]he decision to grant a stay . . . is generally left to the sound discretion of district courts.”) (internal quotation marks omitted).

4. In the interest of the orderly processes of justice and judicial economy, and to conserve the resources of all parties, the parties respectfully request that this Court stay all proceedings, until the interlocutory appeal is resolved with finality.
5. The parties make this request jointly and mutually.

WHEREFORE, Plaintiffs, Defendant, and Intervenor, respectfully request that this Court enter an order staying proceedings in this case and all deadlines until such time as Plaintiffs’ Appeal has been resolved with finality and for such further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Gillian R. Wilcox

Gillian R. Wilcox, #61278  
AMERICAN CIVIL LIBERTIES UNION OF  
MISSOURI FOUNDATION  
406 West 34th Street, Suite 420  
Kansas City, Missouri 64111  
Telephone: (816) 470-9933  
Facsimile: (314) 652-3112  
gwilcox@aclu-mo.org

*Attorneys for Plaintiffs*

**ERIC S. SCHMITT**

Attorney General

/s/ Justin D. Smith

Justin D. Smith, #63253  
Deputy Attorney General for Special Litigation  
Julie Marie Blake, #69643  
Deputy Solicitor General  
Peter A. Houser, #71278  
Assistant Attorney General  
P.O. Box 899  
Jefferson City, MO 65102-0899  
(573) 751-1800  
(573) 751-0774 (fax)  
Justin.Smith@ago.mo.gov  
Julie.Blake@ago.mo.gov

*Attorneys for State of Missouri*

NEWMAN, COMLEY & RUTH P.C

/s/ Michael G. Berry

Michael G. Berry, #33790  
601 Monroe Street, Ste. 301  
P.O. Box 537  
Jefferson City, MO 65101  
573-634-2266  
573-636-3306 (fax)  
michaelberry@ncrpc.com

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 8, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and a copy was made available to all electronic filing participants:

/s/ Gillian R. Wilcox