

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI
TWENTY-FIRST JUDICIAL CIRCUIT

FILED**DIV. NOV 21 2014 10**

BARNEY BENNETT, JANICE SHANDS)
and GEORGE GOLDMAN,)

Plaintiffs,)

vs.)

LEWIS AND CLARK 195, LLC; HAL)
COLLIER; A.M.C.I., INC.; D. JERRY)
LEIGH; MISSOURI-AMERICAN)
WATER COMPANY; LEWIS AND)
CLARK TOWER CONDOMINIUM)
ASSOCIATION; STEPHANIE WHITE;)
RYAN FOSTER; TELECOM SITE)
SERVICES, INC.; STACY CLARK;)
CONDOMINIUM PROPERTY)
MANAGEMENT, INC.; SNB)
INVESTING, LLC; WORLDWIDE)
PROPERTIES, LLC; MWG)
CONTRACTING, LLC; and CANAAN)
PROPERTIES, LLC,)

Defendants.)

Cause No. 14SL-CC02207

Division No. 10

JOAN M. GILMER
CIRCUIT CLERK ST LOUIS COUNTY

ORDER
GRANTING DEFENDANT MISSOURI-AMERICAN WATER COMPANY'S
MOTION TO DISMISS PLAINTIFFS' THIRD AMENDED PETITION

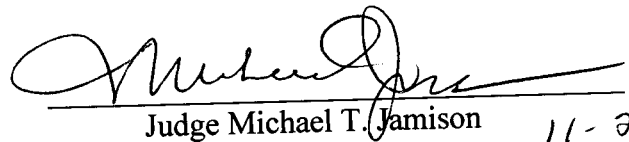
Before the Court is Defendant Missouri-American Water Company's motion to dismiss. Plaintiffs filed briefing in opposition which is also before the Court. Counsel for Missouri-American Water Company and for Plaintiffs appeared for argument on the motion to dismiss November 5, 2014 and were heard.

Upon consideration of the parties' arguments, briefs, and the applicable caselaw, statutes, and regulations, the Court finds as follows: the Public Service Commission has the primary jurisdiction to hear Plaintiffs' claims against Missouri-American Water Company. Missouri-

American Water Company's motion to dismiss is **GRANTED** and Plaintiffs' action against Missouri-American Water Company is **DISMISSED**. This dismissal is without prejudice to the parties' appeal of a Public Service Commission decision or enforcement action on a decision of the Public Service Commission, made pursuant to the statutory provisions providing therefor.

IT IS SO ORDERED.

DATED: November 5, 2014



Judge Michael T. Jamison

11-21-14