

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

KANSAS CITY BOARD OF PUBLIC UTILITIES)

540 Minnesota Ave.)

Kansas City, Kansas)

Case No. 0716 CV04986

Plaintiff,)

v.)

THE KANSAS CITY STAR)

1729 Grand Blvd.)

Kansas City, MO 64108)

and)

THE PITCH NEWSPAPER)

Serve: Donald A. Peterson, Registered Agent)

922 Walnut Street)

Kansas City, MO 64106)

Defendants.)

TEMPORARY RESTRAINING ORDER

This matter comes before the Court on plaintiff's Motion For Temporary Restraining Order under Mo. Supreme Court Rule 92.02. The Court heard the Motion with counsel for Defendants participating by telephone on March 2, 2007. Plaintiff submits their Motion to the Court upon their Verified Petition for Injunctive Relief together with a sealed copy of a document prepared by Stanley Reigel of the Stinson Morrison Hecker LLP law firm on November 16, 2004. The facts that support this Temporary Restraining Order are as follows:

1. The document prepared by Stanley Reigel on November 16, 2004 was intended to be and is a privileged legal communication to Stinson Morrison Hecker LLP's client, Plaintiff herein.

2. Plaintiff did not provide, authorize, or consent to the disclosure of Mr. Reigel's memorandum to either defendant or any other third party.

3. Contemporaneous with the filing of Plaintiff's petition for relief herein, both Defendants published stories referencing and/or quoting the privileged legal communication from Mr. Reigel to Plaintiff.


4. Plaintiff would be irreparably harmed if Defendants are not ordered to remove the items referencing and/or quoting the aforementioned privileged legal communication from their websites and if a Temporary Restraining Order is not issued. Plaintiff has a protected interest in its attorney-client privileged communications and monetary damages which might result from a publication of such information would be difficult or impossible to measure in money.

5. Each Defendant is hereby ordered to remove any items referencing and/or quoting the aforementioned privileged legal communication from its website.

6. Each Defendant is further enjoined and restrained:

- a. From publishing or otherwise referring to in any public medium information contained in Stanley Reigel's document dated November 16, 2004;
- b. From distributing said document to any other person or entity;
- c. From providing or distributing said document or copies thereof to any other person or entity; and
- d. To seal said document and all copies thereof and keep the same in a secure location until further notice from this Court.

This Restraining Order shall become effective upon Plaintiff's executing and filing a bond complying with Rule 92.02(d) in the amount of \$10,000.00 or in lieu thereof cash in the amount of \$1,000. This Restraining Order shall continue in effect until a hearing on a Preliminary Injunction is held on March 9, 2007 at 9:30 a.m. in Division 12. This Restraining Order is entered on this 2nd day of March, 2007 at 7:30 p.m.


Circuit Court Judge

Copies delivered/faxed to:

Dennis Wright, Attorney for Plaintiff

Sam Colville, Attorney for Defendant The Kansas City Star

Mark Sableman, Attorney for Defendant The Pitch Newspaper