

IN THE CIRCUIT COURT OF DEKALB COUNTY
43RD JUDICIAL CIRCUIT
STATE OF MISSOURI



MAYCEE GARDNER, a Minor,
By Her Mother and Next Friend,
CYNDEE GARDNER,

Plaintiff,

v.

PRIME TANNING CORP., et al.,

Defendants.

Cause No.: 09DK-CC00056

MOTION TO CONTINUE

COMES NOW Plaintiff Cyndee Gardner, as Next Friend for Maycee Gardner, by and through her attorneys of record, and asks that the hearing of Defendants National Beef Leathers and Prime Tanning Corp.'s Applications for Change of Venue be continued or re-set to a later date. In support of her motion Plaintiff states as follows:

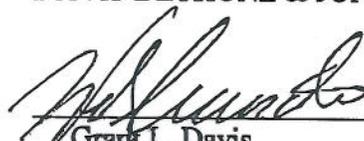
On August 24, 2009, Plaintiff's counsel spoke with counsel for William Kemper. William Kemper is the named plaintiff in case number 09CN-CV00333, entitled William Kemper, et al v. Prime Tanning Corp, et al. William Kemper's lawsuit was filed on April 22, 2009 and arises out of the same tortious behavior alleged in the present case and involves the same defendants. The Kemper lawsuit is the first filed of several individual lawsuits currently on file in which Prime Tanning Corp, Prime Tanning Co. Inc, National Beef Leathers, and Rick Ream are defendants, and many more such lawsuits are expected to be filed in the future.

Defendants in the Kemper lawsuit previously requested a Change of Judge, which was granted, transferring that case to the Honorable Timothy Perigo on August 12, 2009. Defendants also requested a Change of Venue in that case, which will be decided by Judge Perigo. As the first filed of many lawsuits, the case entitled William Kemper et al v. Prime Tanning Corp, et al, should have its Application for Change of Venue heard first.

It is for these reasons that Plaintiff does hereby request that the hearing of Defendants National Beef Leathers and Prime Tanning Corp.'s Applications for Change of Venue be continued and/or re-set until such time as the Applications for Change of Venue in case number 09CN-CV00333, entitled William Kemper, et al v. Prime Tanning Corp, et al can be heard and ruled upon.

WHEREFORE, Plaintiff respectfully requests that the hearing of Defendants National Beef Leathers and Prime Tanning Corp.'s Applications for Change of Venue be continued and/or re-set until such time as the Applications for Change of Venue in case number 09CN-CV00333, entitled William Kemper, et al v. Prime Tanning Corp, et al can be heard and ruled upon.

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| | |
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CERTIFICATE OF SERVICE

I certify that on this 25th day of August, 2009, copies of the foregoing were transmitted via hand delivery and first class U.S. mail, with proper postage affixed, to:

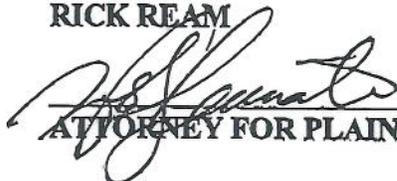
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