

**IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI**

GRETA ROTHMILLER,	)	
	)	
	)	
Plaintiff,	)	Cause No.
	)	
v.	)	Division No.
	)	
CITY OF PINE LAWN	)	
Serve: Victoria Stevenson, City Clerk	)	
6250 Steve Marre Ave	)	
Pine Lawn, MO 63121	)	
	)	
	)	
Defendant.	)	

PETITION FOR DECLARATORY JUDGMENT AND INJUNCTION

COMES NOW Plaintiff Greta Rothmiller and for her Petition states as follows:

Parties

1. Plaintiff Greta Rothmiller ("Plaintiff") is an individual who resides in the County of St. Louis, State of Missouri and within the City of Pine Lawn.
2. Defendant City of Pine Lawn, Missouri ("City") is a 4th class city located within the County of St. Louis and the State of Missouri.
3. Venue is appropriate in this Court pursuant to § 508.050, RSMo.
4. Plaintiff routinely pays sales taxes to Defendant City. Thus, she has taxpayer standing to bring the claims asserted herein.
5. Section 79.160, RSMo, requires the City, due to its status as a 4th class city, to make a record of, and publish, semiannual full and detailed accounts and statement of its receipts, expenditures and indebtedness.

6. Section 79.165, RSMo, provides that, if a 4th class city has not published the information required by § 79.160, it shall not payout any money.

7. The City has not complied with § 79.160 for at least the last two years, yet it has been expending money continuously in violation of § 79.165, which statute also provides that the treasurer of the City has thereby been guilty of a series of class A misdemeanor offenses.

8. Plaintiff has no adequate remedy at law to provide her with redress for the City's unlawful conduct alleged herein.

9. On information and belief, the City contends that it has not committed the unlawful conduct alleged herein.

10. Plaintiff is entitled to an award of her costs and attorney's fees.

11. Plaintiff and City have a justiciable, ripe controversy that this Court may resolve via a declaratory judgment.

12. Plaintiff is at grave risk that that the City will continue to unlawfully expend taxpayer monies absent judicial relief as requested herein, and she --- and the public at large --- are threatened with imminent irreparable harm.

WHEREFORE, Plaintiff requests that this Court declare that the City has been committing the unlawful acts as described above, that it enter temporary restraining, preliminary, and permanent injunctive relief requiring Defendant City to cease expending its taxpayer generated revenues unlawfully that it award Plaintiff her attorneys fees and litigation expenses as incurred herein; and that it provide her with such other relief as is just.

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