

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

Missouri General Assembly)	
)	
Plaintiff,)	
)	
)	Case No._16AC-CC00069_
vs.)	
)	
David Poger,)	
)	
Serve at: Missouri State Capitol)	
Or where Defendant may be found.)	
Defendant)	

FIRST
AMENDED
PETITION

COME NOW Plaintiff Missouri General Assembly, by and through counsel,
and for it's cause of action state as follows:

INTRODUCTION

1. This case seeks to prohibit David Poger from entering the Missouri State Capitol Building, adjacent structures, and grounds within one thousand feet of the Capitol Building. The Defendant has sexually harassed interns and employees of the General Assembly.

PARTIES

2. Plaintiff Missouri General Assembly is a legislative entity created by Article III of the constitution of this State. It has its principal place of business in Cole County, Missouri.
3. Defendant David Poger is an individual that comes to the state capitol.

JURISDICTION AND VENUE

4. The violations alleged occurred under the laws of the State of Missouri and in the County of Cole.

**FACTS APPLICABLE TO ALL
COUNTS**

5. Defendant has sexually harassed interns of the Missouri General Assembly. See attached Exhibit 1, 2, 3 sitting forth the harassment.
6. The Defendant has harassed numerous individuals, employees, and interns of the General Assembly. The General Assembly has no reason to believe that the harassment will stop without the Restraining Order, and the General Assembly has a responsibility to protect its employees and interns from sexual harassment.
7. The General Assembly does not know the present location of the Defendant to give him notice of this action but has given him notice by phone of its intent to seek a Restraining Order and will give him notice when it locates the Defendant. The General Assembly believes that the Defendant intends to continue to visit the Capitol and if the restraining Order is not granted the Defendant will continue to sexually harass the employees, and interns of the General Assembly.

WHEREFORE, Plaintiffs respectfully pray for the following relief:

- A. A declaration that Defendants' actions, are sexual Harassment of Plaintiffs employees, and interns.
- B. An Temporary Restraining Order barring Defendant from entering the Missouri State Capitol Building, adjacent structures, and grounds within one thousand feet of the Capitol Building.
- C. Any such other relief the Court may deem proper.

Respectfully submitted,

David Welch (MBE 27690)
Counsel, Missouri House of Representatives
State Capitol
Jefferson City, Missouri 65101
(573)522-2598
David.welch@house.mo.gov

The forgoing petition is true and correct to the best of my knowledge and belief.

David welch

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

Missouri General Assembly

Plaintiff,

vs.

David Poger,

Defendant

Case No. 16AC-CC00069

ORDER

The Defendant is enjoined from entering the Missouri State Capitol Building, adjacent structures, and grounds within one thousand feet of the Capitol Building.

Any officer of the Missouri Senate, or House of Representatives is authorized to serve this Order.

Review of this order set
A hearing on a permanent injunction is set for the 19 day of March 2016.

[Signature]
Judge

1:30 PM

STATE OF MISSOURI } SS
COUNTY OF COLE

Clerk of the Circuit Court of Cole County, Missouri, hereby certify that the above and foregoing is a full true and correct copy of

Order

as fully as the same remains of record in my said office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my said office this 25 day of Feb 2016

[Signature]
Clerk
Circuit Court of Cole County, Missouri