

IN THE CIRCUIT COURT OF CLINTON COUNTY, MISSOURI

FILED
AUG 13 2009

BEVERLY LONG, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 PRIME TANNING CORP., et al.,)
)
 Defendants.)

MOLLY LIVINGSTON
CLERK OF CIRCUIT COURT
Case No. 09CN-CV00422

NATIONAL BEEF LEATHERS' REPLY TO PLAINTIFFS' RESPONSE
TO APPLICATION FOR CHANGE OF VENUE

National Beef Leathers, LLC ("NBL") replies to Plaintiffs' response to NBL's Application for Change of Venue as follows:

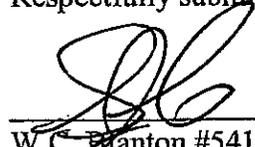
The only consideration for the Court in its decision whether to transfer venue to Livingston County is convenience to the parties. M.R.C.P. 51.03. Plaintiffs' contention that Jackson County or St. Louis City is better equipped than Livingston County to handle this case is irrelevant to the issue of convenience, and they cite no authority to support the argument that the judges and staff of the Livingston County Court are not fully capable of handling this case.

Also contrary to Plaintiffs' argument, Livingston County will not be inconvenient to fact or expert witnesses, who likely would only be called to testify in Livingston County once, at the time of trial. Typically, depositions of witnesses occur where the witnesses are located or at some other agreed-upon location, and not necessarily near the trial venue. And convenience to attorneys is irrelevant to the Court's consideration. Livingston County, therefore, remains the most convenient alternative venue for this case.

WHEREFORE, for the reasons set forth here and in its Joint Application for Change of Venue and Change of Judge, NBL respectfully requests the Court to transfer this lawsuit to Livingston County and to grant NBL such further relief as this Court deems appropriate.

Date: August 12, 2009

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **REPLY TO PLAINTIFFS' RESPONSE TO APPLICATION FOR CHANGE OF VENUE AND CHANGE OF JUDGE** has been deposited in the U.S. Mail, first class postage prepaid, this 2th day of August, 2009, to the following:

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