

IN THE CIRCUIT COURT OF CLINTON COUNTY, MISSOURI

F I L E D
JUN 22 2009

MOLLY LIVINGSTON
Clerk of Clinton Co. Circuit Court

WILLIAM KEMPER, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 PRIME TANNING CORP., et al.,)
)
 Defendants.)

Case No. 09CN-CV00333

**PLAINTIFFS' SUGGESTIONS IN RESPONSE TO
NATIONAL BEEF LEATHER'S JOINT APPLICATION FOR
CHANGE OF VENUE AND CHANGE OF JUDGE**

Plaintiffs do not oppose National Beef Leather's (NBL) application for change of judge as a matter of right. Plaintiffs also acknowledge that NBL is entitled to an application for change of venue as of right pursuant to Mo. Ct. Rule 51.03 – however there is nothing convenient about Livingston County that would warrant sending this case to that venue. There will likely be 100 or more of these claims filed against NBL and co-defendants. Jackson County is best equipped to handle such volume, and plaintiffs hereby incorporate their suggestions in response to Prime's Application for Change of Venue in support of moving this case to Jackson County.

Livingston County has absolutely no connection to this case whatsoever. Defendants Prime Tanning Corp. and NBL are headquartered in Buchanan County, Missouri. NBL's parent company National Beef is headquartered in Clay County, Missouri. None of the plaintiffs live in Livingston County, and none of the attorneys or medical witnesses are located in Livingston County. There is simply nothing convenient about Livingston County that would warrant sending this case to that venue. Jackson County is best equipped to handle a mass tort such as

this case, and plaintiffs, therefore, respectfully request that the case be transferred to Jackson County.

WHEREFORE, plaintiffs respectfully request that this Court transfer this case to the presiding judge of the Circuit Court of Jackson County, Missouri for further proceedings.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on this 17th day of June, 2009, copies of the foregoing were transmitted via first class U.S. mail, with proper postage affixed, to:

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