

KAY BROWN



100 W. CHURCH ROOM 206
OZARK, MO 65721
Phone: 581-6360 Fax: 581-8331

CERTIFICATION OF CHRISTIAN COUNTY MISSOURI ELECTION
RETURNS RECOUNT OF THE
REPUBLICAN CIRCUIT CLERK RACE
AUGUST 3rd, 2010, PRIMARY ELECTION

State of Missouri }
}ss.
County of Christian }

I, Kay Brown, Election Authority for the County of Christian, hereby certify the attached document to be a true, correct and complete abstract of all the votes cast in the Circuit Clerk Race in said county for all the Republican candidates at the Primary Election held on August 3, 2010, as shown by the returns from all the different voting polling places or precincts in said county, and as verified by the recount election board as provided in 115.589 RSMo.

On August 17, 2010, a recount for the Christian County Circuit Clerk's Primary Election was conducted by sixteen disinterested registered voters that represented Barbie Barnett-Stillings and Amy Robinette- Russell. The hand count of each party represented revealed that each precinct had the same number of votes cast for each candidate as indicated in the Certification of the August 3rd, Primary Election with one exception. The West Finley Precinct showed a change of one vote that resulted in an additional vote for Amy Robinette-Russell and a decrease of one vote for Barbie Barnett-Stillings. The total votes cast of the recount are as follows:

Barbie Barnett -Stillings
Total Votes Counted 6462

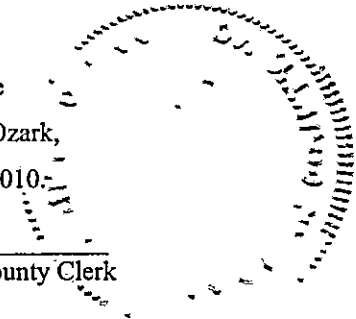
Amy Robinette-Russell
Total Votes Counted 6448

Total number of votes cast 12,910

IN TESTIMONY WHEREOF,

I hereunto set my hand and affix the seal of the County, at my office in Ozark, Missouri this 18th day of August, 2010.

Kay Brown
Kay Brown, Election Authority/County Clerk



Primary Election August 3rd 2010 RECOUNT for Circuit Clerk Race

PRECINCTS	RETURNS	Orig. Barbie	BARBIE	Orig. Amy	AMY	HAND COUNT TOTAL
E. Benton/ Bruner	202	95		107		
W. Benton/ Linden	392	161		231		
Chadwick/S. Linn	140	77		63		
Riverside #1	470	215		255		
Cassidy #1	409	186		223		
West Finley	601	283		318		
East Finley	1041	411		630		
North Galloway	538	295		243		
South Galloway	347	146		201		
Garrison/Seneca	86	29		57		
Lead Hill/Oldfield	181	93		88		
Lincoln #1	491	266		225		
North Linn	249	109		140		
McCracken	490	198		292		
Polk	510	253		257		
Union Chapel	784	439		345		
Rosedale# 1A	419	265		154		
Garden Grove	427	221		206		
Northview # 1	539	292		247		
Sparta	437	208		229		
Union Chapel #2.	766	482		284		
Rosedale #2	452	264		188		
Northview # 2	411	210		201		
Rosedale #1B	346	212		134		
Riverside #2	613	296		317		
Cassidy #2	639	314		325		
Lincoln #2	209	109		100		
Absentee	721	334		387		
	12910	6463		6447		

Statement of Votes Cast
CHRISTIAN COUNTY, MO
PRIMARY ELECTION

Date:08/05/10
Time:08:45:44
Page:19 of 34

SOVC For Jurisdiction Wide, All Counters, All Races
OFFICIAL RESULTS
AUGUST 3, 2010

	CIRCUIT CLERK						
	Reg Voters	Times Counted	Total Votes	BARBIE STILLINGS		AMY RUSSELL	
Jurisdiction Wide							
1. EAST BENTON/3. BRUNER	891	226	202	95	47.03%	107	52.97%
2. WEST BENTON/14. LINDEN	1662	445	392	161	41.07%	231	58.93%
4. CHADWICK/16. SOUTH LINN	398	156	140	77	55.00%	63	45.00%
5. RIVERSIDE 1	2262	512	470	215	45.74%	255	54.26%
6. CASSIDY	2303	445	409	186	45.48%	223	54.52%
7. WEST FINLEY	2845	642	601	283	47.09%	318	52.91%
8. EAST FINLEY	4109	1112	1041	411	39.48%	630	60.52%
9. NORTH GALLOWAY	2593	586	538	295	54.83%	243	45.17%
10. SOUTH GALLOWAY	1393	379	347	146	42.07%	201	57.93%
11. GARRISON/25. SENECA	243	98	86	29	33.72%	57	66.28%
12. LEAD HILL/18. OLDFIELD	471	191	181	93	51.38%	88	48.62%
13. LINCOLN	2448	528	491	266	54.18%	225	45.82%
15. NORTH LINN	737	266	249	109	43.78%	140	56.22%
17. McCRACKEN	1519	532	490	198	40.41%	292	59.59%
20. POLK	2287	567	510	253	49.61%	257	50.39%
21. UNION CHAPEL I	2748	828	784	439	55.99%	345	44.01%
22. ROSEDALE 1A	2224	445	419	265	63.25%	154	36.75%
23. GARDEN GROVE	1936	458	427	221	51.76%	206	48.24%
24. NORTHVIEW #1	2508	575	539	292	54.17%	247	45.83%
26. SPARTA	1780	476	437	208	47.60%	229	52.40%
27. UNION CHAPEL 2	3102	814	766	482	62.92%	284	37.08%
28. ROSEDALE 2	1807	492	452	264	58.41%	188	41.59%
29. NORTHVIEW 2	1803	448	411	210	51.09%	201	48.91%
30. ROSEDALE 1 B	2148	383	346	212	61.27%	134	38.73%
31. RIVERSIDE #2	2295	661	613	296	48.29%	317	51.71%
32. CASSIDY #2	2684	704	639	314	49.14%	325	50.86%
33. LINCOLN #2	826	227	209	109	52.15%	100	47.85%
ABSENTEE	0	765	721	334	46.32%	387	53.68%
Total							
Polling	52022	13196	12189	6129	50.28%	6060	49.72%
ABSENTEE	52022	765	721	334	46.32%	387	53.68%
Total	52022	13961	12910	6463	50.06%	6447	49.94%

John Wardlow - Elise Crain - Mangann Harter - Barbara McCoy

Primary Election August 3rd 2010 RECOUNT for Circuit Clerk Race

PRECINCTS	RETURNS	Orig. Barbie	BARBIE	Orig. Amy	AMY	HAND COUNT TOTAL
E. Benton/ Bruner	202	95		107		
W. Benton/ Linden	392	161		231		
Chadwick/S. Linn	140	77		63		
✓ Riverside #1	470	215		255		
Cassidy #1	409	186		223		
bmc West Finley	601	283	282	318	319	* change 601
East Finley	1041	411		630		
bmc North Galloway 2	✓538	295	295 ✓	243	243 ✓	538
bmc South Galloway	✓347	146 ✓	146 ✓	201 ✓	201 ✓	347
bmc Garrison/Seneca	✓86	29	29	57	57	29
Lead Hill/Oldfield	181	93		88		
bmc Lincoln #1	✓491	266 ✓	266 ✓	225 ✓	225 ✓	491
North Linn	249	109		140		
McCracken	490	198		292		
Polk	510	253		257		
bmc Union Chapel #1	784	439	438+1	345	345 ✓	784
Rosedale #1A	419	265		154		
Garden Grove	427	221		206		
Northview #1	539	292		247		
Sparta	437	208		229		
Union Chapel #2.	766	482		284		
Rosedale #2	452	264		188		
Northview #2	411	210		201		
Rosedale #1B	346	212		134		
✓ Riverside #2	613	296		317		
Cassidy #2	639	314		325		
Lincoln #2	209	109		100		
Absentee	721	334		387		
	12910	6463		6447		

Lauren McAnis
Carol Laddy *Michael Robert*
Eddie Maples

Primary Election August 3rd 2010 RECOUNT for Circuit Clerk Race

PRECINCTS	RETURNS	Orig. Barbie	BARBIE	Orig. Amy	AMY	HAND COUNT TOTAL
E. Benton/ Bruner	202	95		107		
W. Benton/ Linden	392	161		231		
Chadwick/S. Linn	140	77		63		
NR EM Riverside #1	470	215	215	255	255	470
Cassidy #1	409	186		223		
West Finley	601	283		318		
East Finley	1041	411	411	630	630	1041
North Galloway	538	295		243		
South Galloway	347	146		201		
Garrison/Seneca	86	29		57		
Lead Hill/Oldfield	181	93		88		
Lincoln #1	491	266		225		
North Linn	249	109		140		
McCracken	490	198		292		
Polk	510	253		257		
Union Chapel	784	439		345		
Rosedale# 1A	419	265	265	154	154	419
Garden Grove	427	221		206		
Northview # 1	539	292		247		
Sparta	437	208		229		
Union Chapel #2.	766	482		284		
Rosedale #2	452	264	264	188	188	452
Northview # 2	411	210		201		
Rosedale #1B	346	212		134		
Riverside #2	613	296	296	317	317	613
Cassidy #2	639	314		325		
Lincoln #2	209	109		100		
Absentee	721	334		387		
	12910	6463		6447		

Primary Election August 3rd 2010 RECOUNT for Circuit Clerk Race

PRECINCTS	RETURNS	Orig. Barbie	BARBIE	Orig. Amy	AMY	HAND COUNT TOTAL
* E. Benton/ Bruner	202	95	95	107	107	202 B.C.H. #2
W. Benton/ Linden	392	161		231		
B.K.C.H. Chadwick/S. Linn	140	77	77	63	63	140 B.C.H. #2
Riverside #1	470	215		255		
Cassidy #1	409	186		223		
West Finley	601	283		318		
East Finley	1041	411		630		
North Galloway	538	295		243		
South Galloway	347	146		201		
Garrison/Seneca	86	29		57		
- Lead Hill/Oldfield	181	93	93	88	88	181
Lincoln #1	491	266		225		
- North Linn	249	109	109	140	140	249
- McCracken	490	198	198	292	292	490
- Polk	510	253	247+5+1=253	257	255+2=257	510 B.C.H. #2
Union Chapel	784	439		345		
Rosedale # 1A	419	265		154		
Garden Grove	427	221		206		
Northview # 1	539	292		247		
Sparta	437	208		229		
- Union Chapel #2.	766	482	482	284	284	#2 766
Rosedale #2	452	264		188		
Northview # 2	411	210		201		
- Rosedale #1B	346	212	212	134	134	346
Riverside #2	613	296		317		
Cassidy #2	639	314		325		
- Lincoln #2	209	109	109	100	100	209
Absentee	721	334		387		
	12910	6463		6447		

Shirley Bruggemann
 Chris Huff
 Fred Shewgo
 Tom Miller (HEBEN)

Ketrona Lane
Paul & Robert
David D. Doolittle

Primary Election August 3rd 2010 RECOUNT for Circuit Clerk Race

PRECINCTS	RETURNS	Orig. Barbie	BARBIE	Orig. Amy	AMY	HAND COUNT TOTAL
E. Benton/ Bruner	202	95		107		
<i>DM, DM</i> W. Benton/ Linden	392	161	161	231	231	392 <i>DM R#</i>
Chadwick/S. Linn	140	77		63		
Riverside #1	470	215		255		
<i>DM</i> Cassidy #1	409	186	186	223	223	409 <i>DM R#</i>
West Finley	601	283		318		
East Finley	1041	411		630		
North Galloway	538	295		243		
South Galloway	347	146		201		
Garrison/Seneca	86	29		57		
Lead Hill/Oldfield	181	93		88		
Lincoln #1	491	266		225		
North Linn	249	109		140		
McCracken	490	198		292		
Polk	510	253		257		
Union Chapel	784	439		345		
Rosedale # 1A	419	265		154		
<i>DM</i> Garden Grove	427	221	<i>DM</i>	206		427 <i>DM R#</i>
<i>DM</i> Northview # 1	539	292	292+1	247	247+1	539 <i>DM R#</i>
<i>DM</i> Sparta	437	208		229	<i>(Total Sp=1)</i>	
Union Chapel #2.	766	482		284		
Rosedale #2	452	264		188		
<i>DM</i> Northview # 2	411	210	210 <i>DM</i>	201	201 <i>DM</i>	411 <i>DM R#</i>
Rosedale #1B	346	212		134		
Riverside #2	613	296		317		
<i>DM</i> Cassidy #2	639	314	<i>DM</i>	325		639 <i>DM R#</i>
Lincoln #2	209	109		100		
Absentee	721 <i>DM</i>	334 <i>DM</i>		387 <i>DM</i>		721 <i>DM R#</i>
	12910	6463		6447		

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Katherine Graves
 Page 2 Returns
 Robert W. Doherty

Primary Election August 3rd 2010 RECOUNT for Circuit Clerk Race

PRECINCTS	RETURNS	Orig. Barbie	BARBIE	Orig. Amy	AMY	HAND COUNT TOTAL
E. Benton/ Bruner	202	95		107		
KSCV/KG * W. Benton/ Linden	392	161	161	231	231	392 KSCV/KG
Chadwick/S. Linn	140	77		63		
Riverside #1	470	215		255		
KSCV/KG * Cassidy #1	409	186	186	223	223	409 KSCV/KG
West Finley	601	283		318		
East Finley	1041	411		630		
North Galloway	538	295		243		
South Galloway	347	146		201		
Garrison/Seneca	86	29		57		
Lead Hill/Oldfield	181	93		88		
Lincoln #1	491	266		225		
North Linn	249	109		140		
McCracken	490	198		292		
Polk	510	253		257		
Union Chapel	784	439		345		
Rosedale# 1A	419	265		154		
KSCV/KG * Garden Grove	427	221	221	206	206	427 KSCV/KG
KSCV/KG * Northview # 1	539	292	291/1	247	246/1	539 KSCV/KG
* Sparta	437	208	208	229	228/1	437 KSCV/KG
Union Chapel #2.	766	482		284		
Rosedale #2	452	264		188		
KSCV/KG * Northview # 2	411	210	210	201	201	411 KSCV/KG
Rosedale #1B	346	212		134		
Riverside #2	613	296		317		
KSCV/KG * Cassidy #2	639	314	312/2	325	325	639 KSCV/KG
RH Lincoln #2	209	109		100		
KSCV/KG * Absentee	721	334	334	387	387	721 KSCV/KG
	12910	6463		6447		

241
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60
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[Handwritten scribbles]

HEARNE & PIVAC

ATTORNEYS AT LAW
4730 SOUTH NATIONAL SUITE A1
SPRINGFIELD, MISSOURI 65810

TELEPHONE (417) 883-3399
TELECOPIER (417) 877-0016

THOMAS H. HEARNE
thearne@hplawfirm.org

MICHAEL T. PIVAC
1958-2010

August 10, 2010

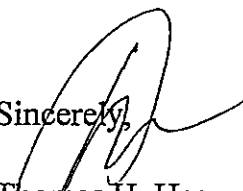
Circuit Clerk of Christian County, Missouri
Judicial Center
110 W. Elm Street
P. O. Box 278
Ozark, Missouri 65721-0278

Re: *Robinette-Russell vs. Brown and Barnett-Stillings; case number 10CTCC00700*

Dear Mr. Clerk:

Enclosed please find Defendant Barnett-Stillings "Answer" for filing. A copy hereof has been forwarded to all interested persons.

Sincerely,


Thomas H. Hearne

THH

Enclosure

cc: Mr. James Fossard
Ms. Kay Brown
Ms. Barbie Barnett-Stillings
stillings/correspondence/081010 letter to circuit clerk

RECEIVED

AUG 12 2010

KAY BROWN
COUNTY CLERK

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

AMY ROBINETTE-RUSSELL,)
)
 Plaintiff,)
)
 vs.)
)
 KAY BROWN, (in her capacity as County)
 Clerk and not individually))
)
 and)
)
 BARBIE BARNETT-STILLINGS,)
 Contestee,)
)
 Defendants.)

Case No. 10CT-CC00700

FILED
RICHARD D. LAMB
AUG 09 2010
CIRCUIT CLERK
CHRISTIAN COUNTY, MO

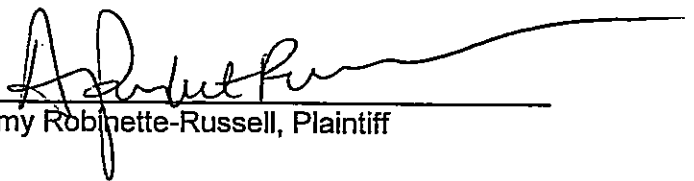
PETITION TO CONTEST PRIMARY ELECTION
(SECTION 115.531 and 115.601 et. seq. RSMO)

COMES NOW Plaintiff and for her Petition states and avers as follows:

1. That Plaintiff is a contestant in the primary election held in Christian County, Missouri on August 3, 2010 for the office of Christian County Circuit Clerk.
2. That Defendant Kay Brown is the County Clerk and the election authority for said primary election pursuant to Section 115.015 RSMo.
3. That Defendant Barbie Barnett-Stillings is the purported winner by fifteen (15) votes out of approximately 12,911 votes cast for the office as defined in Section 115.601 RSMo.
4. By virtue of the purported defeat of Plaintiff by Defendant Stillings by less than one percent of the votes cast for the office, Plaintiff shall have the right to a recount of all votes cast in the August 3, 2010 election for the office of Christian County Circuit Clerk. (Section 115.601 RSMo).
5. Plaintiff requests that the recount of said votes be conducted by hand recount by four (4) duly qualified disinterested and registered voters under the authority of the Circuit Court pursuant to the provisions of Section 115.543 RSMo.

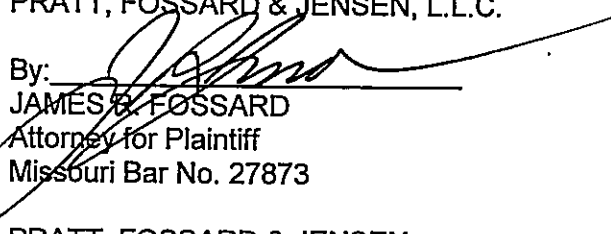
6. Plaintiff further requests that a preliminary hearing be held within five (5) days on the issues presented herein from the date of the filing of this petition in accordance with the provisions of Section 115.531 and 115.537 RSMo.

WHEREFORE, Plaintiff prays the Court to Order a recount by hand of all votes cast in the August 3, 2010 Christian County primary election for Christian County Circuit Clerk, to enter Judgment in accordance with the election recount results and for such other and further relief as the Court shall find is just and appropriate.



Amy Robinette-Russell, Plaintiff

PRATT, FOSSARD & JENSEN, L.L.C.

By: 

JAMES B. FOSSARD
Attorney for Plaintiff
Missouri Bar No. 27873

PRATT, FOSSARD & JENSEN
ATTORNEYS AT LAW
3432 Culpepper Ct., Ste. A
Springfield, MO 65804-3755
Phone: (417) 883-8200
Fax: (417) 883-3165
jfossard@pfjmlaw.com

STATE OF MISSOURI)
) ss.
COUNTY OF Greene)

I, Amy Robinette-Russell, being of lawful age and first duly sworn, states and deposes that she is the Plaintiff, that she has read the foregoing instrument and that the facts and statements contained therein are true and correct to her best knowledge, belief and information.

Amy Robinette-Russell
Amy Robinette-Russell

Subscribed and sworn to before me, a Notary Public, this 9th day of August, 2010.

Joanna Cook
Notary Public

My commission expires:



JOANNA COOK
My Commission Expires
July 1, 2012
Greene County
Commission #08412403

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

AMY ROBINETTE-RUSSELL,)

Plaintiff,)

vs.)

Case No. 10CT-CC00700

KAY BROWN, (in her capacity as)
County Clerk and not individually))

and)

BARBIE BARNETT-STILLINGS,)
Contestee,)

Defendants.)

ANSWER TO PETITION TO CONTEST PRIMARY ELECTION

COMES NOW Defendant, Barbie Barnett-Stillings, by and through her counsel,
Thomas H. Hearne, and for her answer states alleges and avers as follows:

1. Defendant admits the allegations of paragraphs 1, 2, 3 and 4 of said
petition.

2. Defendant further requests that any recount of the vote ordered by this
Court be conducted pursuant to the provisions of RSMo. 115.541 and, if applicable, and
necessary, RSMo. 115.543.

3. Further, Defendant requests that Plaintiff post a bond for the costs and expenses of the election contest, and that the court hear such request on August 13, 2010 at 9:00 a.m.

WHEREFORE, Defendant prays for the relief herein specified, for her costs incurred, and for such other and further relief as the Court shall find is just and appropriate.

HEARNE & PIVAC

By: 

THOMAS H. HEARNE
Bar #27596
HEARNE & PIVAC
4730 South National Suite A-1
Springfield, Missouri 65810
Telephone (417) 883-3399
Fax (417) 877-0016
e-mail thearne@hplawfirm.org
ATTORNEY FOR DEFENDANT STILLINGS
stillings/pleadings/answer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was deposited to the U. S. Mails, postage prepaid, and e-mailed, where indicated, to the following persons on this 10th day of August, 2010:

JAMES R. FOSSARD
Attorney for Plaintiff
PRATT, FOSSARD & JENSEN
3432 Culpepper Ct., Ste. A
Springfield, MO 65804-3755
jfossard@pfjmlaw.com

Ms. Kay Brown

County Clerk
206 Courthouse
100 W. Church St.
Ozark, Mo. 65721



Thomas H. Hearne



IN THE 38TH JUDICIAL CIRCUIT COURT, CHRISTIAN COUNTY, MISSOURI

SERVICE COPY


Judge or Division: MARK ESTLE ORR	Case Number: 10CT-CC00700
Plaintiff/Petitioner: AMY RUSSELL	Plaintiff's/Petitioner's Attorney/Address JAMES R FOSSARD SUITE A 3432 CULPEPPER CT SPRINGFIELD, MO 65804
Defendant/Respondent: KAY BROWN	Court Address: 110 WEST ELM OZARK, MO 65721
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons in Civil Case

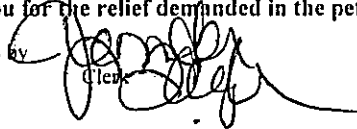
The State of Missouri to: KAY BROWN
Alias:

CHRISTIAN CO. CLERK
110 W CHURCH
OZARK, MO 65721



**COURT SEAL OF
CIRCUIT COURT OF MISSOURI
CHRISTIAN COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

AUGUST 9, 2010 Date
RICHARD D LAMB by  Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

(for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

other _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO. on _____ (date) at _____ (time):

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees	
Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

AMY ROBINETTE-RUSSELL,)
)
 Plaintiff,)
)
 vs.)
)
 KAY BROWN, (in her capacity as County)
 Clerk and not Individually))
)
 and)
)
 BARBIE BARNETT-STILLINGS,)
 Contestee,)
)
 Defendants.)

Case No. 10CT-000700

FILED
RICHARD D LAMB
AUG 19 2010
CIRCUIT CLERK
CHRISTIAN COUNTY, MO

NOTICE

You are hereby notified that Plaintiff, by and through her attorney of record, will take up for hearing "Plaintiff's Petition to Contest Primary Election" for the purpose of appointing recount judges in the above-styled cause on Friday, August 13, 2010, at 9:00 a.m. or as soon thereafter as counsel may be heard.

PRATT, FOSSARD & JENSEN, L.L.C.

By: 
JAMES R. FOSSARD
Attorney for Plaintiff
Missouri Bar No. 27873

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IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

AMY ROBINETTE-RUSSELL,)
)
Plaintiff,)
vs.) Case No. 10CT-CC00700
)
KAY BROWN, in her capacity as County)
Clerk and not individually,)
)
and)
)
BARBIE BARNETT-STILLINGS,)
)
Defendants.)

JUDGMENT

On August 13, 2010, this Court ordered a recount of the ballots cast in the August 3, 2010, Republican primary election for Christian County Circuit Clerk, and on August 16, 2010, appointed sixteen (16) persons to conduct same. The recount was completed and the Christian County Clerk certified same. The results are as follows:

Barbie Barnett-Stillings	6462
Amy Robinette-Russell	6448

THE COURT, being fully advised, does hereby, ORDER, ADJUDGE and DECREE:

1. The result of the August 3, 2010, Republican primary election for Christian County Circuit Clerk as originally counted after the August 3, 2010, primary election are found to be inaccurate and are held for naught.
2. The results of the August 17, 2010, recount of same ballots are found to be accurate and correct as certified by the Christian County Clerk and are held to be the results of the election.

FILED
RICHARD D. LAMB

AUG 23 2010

CIRCUIT CLERK
CHRISTIAN COUNTY MO


3. The accurate and correct vote count is:

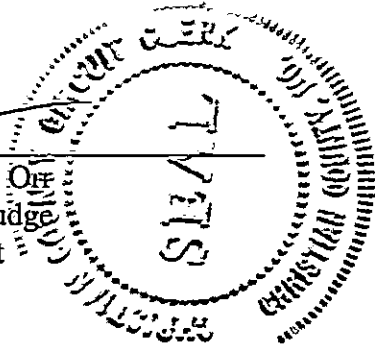
Barbie Barnett-Stillings 6462

Amy Robinette-Russell 6448

4. Contestee Barbie Barnett-Stillings is found and held to be the winner of the August 3, 2010, Republican primary election for Christian County Circuit Clerk.
5. Costs of this action are taxed to Plaintiff, but the costs of the recount are taxed to Christian County.
6. A certified copy of this Judgment is to be transmitted to Attorneys for both candidates, the Missouri Secretary of State, and Christian County Clerk Kay Brown.

DATE: 8-23-10


Honorable Mark E. Off
Presiding Circuit Judge
38th Judicial Circuit
State of Missouri



IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

AMY ROBINETTE-RUSSELL,

Plaintiff,

vs.

Case No. 10CT-CC00700

KAY BROWN, (In her capacity as County Clerk and not Individually)

and

BARBIE BARNETT-STILLINGS, Contestee,

Defendants.

ORDER

Plaintiff having presented her petition to Contest Primary Election, the Court finds that Plaintiff is entitled to a recount by hand count of the votes cast in the August 3, 2010 primary election for Christian County Circuit Clerk pursuant to the provisions of Section 115.601 RSMo.

THEREFORE, the Court does hereby ORDER as follows:

1. That the Christian County Clerk forthwith recount by hand count all votes cast for Christian County Circuit Clerk in the August 3, 2010 primary election. Said recount is to be done by sixteen (16) duly qualified, disinterested, and registered voters, eight (8) each to be submitted by the Contestant and Contestee.

2. The Court appoints the following persons to conduct the recount:

Plaintiff's Selections

- ✓ Dale Robertson
- ✓ Jay Johnson *Barbara McLaughlin*
- ✓ Chris Huff
- ✓ Lin Shawgo
- ✓ Amy Hlnote *(Hlnote)*
- Bob Hacker*

Defendant's Selections

- Shirley Brueggeman ✓
- Ketrena Graves ✓
- Kyle Vogel ✓
- Carol Gaddy ✓
- ~~Dale Reynolds~~ ✓
- Eddie Maples*

M. Elise Crain *X*

Mike Robertson *X*

Carlene McDaniel *X*

Chuck Fugate *X* John Chris *Abdalla*

Ken Hebden *X*

Maryann Harter *X*

3. That the County Clerk provide the results of the recount to the Plaintiff and Contestee and the Court upon completion thereof for further Order.

SO ORDERED.

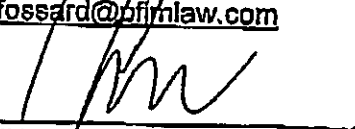
Date: 8/16/2010

Judge

Approved as to form: .

By: 

JAMES R. FOSSARD
Attorney for Plaintiff
Missouri Bar No. 27873
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By: 

THOMAS H. HEARNE
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Springfield, MO 65810
Phone: 417-883-3399
Fax: 417-877-0016
E-mail: thearne@hplawfirm.org

INSTRUCTIONS FOR THE RECOUNT

1. Select a precinct and open the ballot bags with scissors provided
2. Separate into stacks the different party ballots
3. Put all ballots back into the plastic bag **EXCEPT** the Republican Ballots
4. One from each side will call the vote
5. One from each side will write the slash for each vote
6. After four slashes the fifth slash the writer's say tally
7. Throughout the day those taking the tally's will compare for accuracy
8. Half-way through the day the partners may choose to trade places.
9. The judge that is the second set of eyes to review the vote will speak the word I AFFIRM or I CONCUR and place the ballots for Barbie in one stack and the ballots for Amy in another stack.
10. The only words to say are: Barbie, Amy and Tally – must be said softly- no other conversation because it is very difficult to hear.
11. Each precinct must be tallied on tally sheet and ballots put away before starting a new precinct.

We will have bathroom breaks and a lunch break at 12:30 p.m.

NOTICE OF ENTRY
(SUPREME COURT RULE 74.03)

In The 38th Judicial Circuit Court, Christian County, Missouri

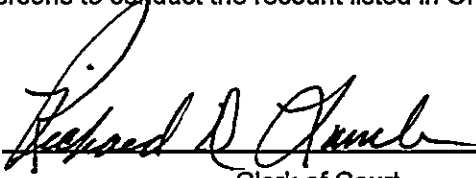
AMY ROBINETTE-RUSSELL V KAY BROWN ET AL

CASE NO : 10CT-CC00700

To: KAY BROWN
CHRISTIAN CO. CLERK
110 W CHURCH
OZARK MO 65721

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

<u>Filing Date</u>	<u>Description</u>
13-Aug-2010	Order Signed by Judge Orr, ordering recount, without attached list of person to conduct recount.
16-Aug-2010	Order Signed by Judge Orr, ordering recount with persons to conduct the recount listed in Order.


Clerk of Court

CC: File
JAMES R FOSSARD
KAY BROWN
THOMAS H HEARNE

Date Printed : 16-Aug-2010

RECEIVED
AUG 16 2010
KAY BROWN
COUNTY CLERK

NOTICE OF ENTRY
(SUPREME COURT RULE 74.03)

In The 38th Judicial Circuit Court, Christian County, Missouri

AMY ROBINETTE-RUSSELL V KAY BROWN ET AL

CASE NO : 10CT-CC00700

To: KAY BROWN
CHRISTIAN CO. CLERK
110 W CHURCH
OZARK MO 65721

RECEIVED

AUG 23 2010

KAY BROWN
COUNTY CLERK

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

<u>Filing Date</u>	<u>Description</u>
23-Aug-2010	Judgment Entered Singed by Judge Orr.



Clerk of Court

CC: File
JAMES R FOSSARD
KAY BROWN
THOMAS H HEARNE

Date Printed : 23-Aug-2010

NOTICE OF ENTRY
(SUPREME COURT RULE 74.03)

In The 38th Judicial Circuit Court, Christian County, Missouri

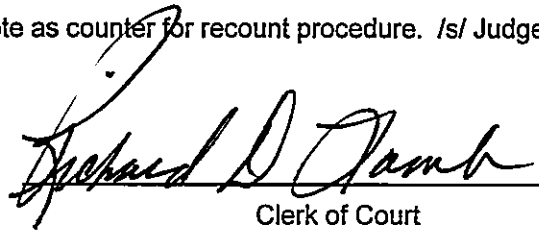
AMY ROBINETTE-RUSSELL V KAY BROWN ET AL

CASE NO : 10CT-CC00700

To: KAY BROWN
CHRISTIAN CO. CLERK
110 W CHURCH
OZARK MO 65721

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

<u>Filing Date</u>	<u>Description</u>
17-Aug-2010	Order Bob Hackett appointed to replace Amy Hinote as counter for recount procedure. /s/ Judge Luna


Clerk of Court

CC: File
JAMES R FOSSARD
KAY BROWN
THOMAS H HEARNE
Date Printed : 17-Aug-2010

NOTICE OF ENTRY
(SUPREME COURT RULE 74.03)

In The 38th Judicial Circuit Court, Christian County, Missouri

AMY ROBINETTE-RUSSELL V KAY BROWN ET AL

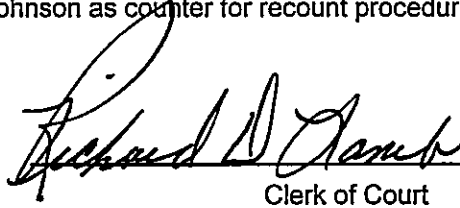
CASE NO : 10CT-CC00700

To: KAY BROWN
CHRISTIAN CO. CLERK
110 W CHURCH
OZARK MO 65721

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

<u>Filing Date</u>	<u>Description</u>
16-Aug-2010	Order Signed by Judge Orr, ordering recount with persons to conduct the recount listed in Order.

Order
↳ Barbara McCoy appointed to replace Jay Johnson as counter for recount procedure in this case. /s/ Judge Orr


Clerk of Court

CC: File
JAMES R FOSSARD
KAY BROWN
THOMAS H HEARNE
Date Printed : 16-Aug-2010

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

AMY ROBINETTE-RUSSELL,)
)
 Plaintiff,)
)
 vs.)
)
 KAY BROWN, (in her capacity as County)
 Clerk and not individually))
)
 and)
)
 BARBIE BARNETT-STILLINGS,)
 Contestee,)
)
 Defendants.)

Case No. _____

FILED
 RICHARD D. LAMB
 AUG 13 2010
 CIRCUIT CLERK
 CHRISTIAN COUNTY MO

ORDER

Plaintiff having presented her petition to Contest Primary Election, the Court finds that Plaintiff is entitled to a recount by hand count of the votes cast in the August 3, 2010 primary election for Christian County Circuit Clerk pursuant to the provisions of Section 115.601 RSMo.

THEREFORE, the Court does hereby ORDER as follows:

1. That the Christian County Clerk forthwith recount by hand count all votes cast for Christian County Circuit Clerk in the August 3, 2010 primary election. Said recount is to be done by four (4) duly qualified, disinterested, and registered voters, two (2) each to be submitted by the Contestant and Contestee.

2. The Court appoints the following persons to conduct the recount:

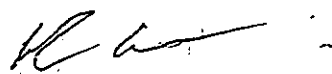
see attached

see attached

3. That the County Clerk provide the results of the recount to the Plaintiff and Contestee and the Court upon completion thereof for further Order.

SO ORDERED.

Date: 8-13-10



Judge

OFFICIAL BALLOT

26

JUDGES' INITIALS



REPUBLICAN PARTY

PRIMARY ELECTION - AUGUST 3, 2010
CHRISTIAN COUNTY, MISSOURI

INSTRUCTIONS TO VOTERS

To vote, darken in the oval(s) completely next to your choice(s), like this:

If you are in favor of any question submitted upon this ballot, darken the oval to the left of the word "YES".

If you are opposed to any question submitted upon this ballot, darken the oval to the left of the word "NO".

If you tear, deface, or make a mistake and wrongfully mark any ballot, you must return it to the election judges and receive a new ballot.

FOR U.S. SENATOR
Vote for ONE

- R. L. PRAPROTNIK
- HECTOR MALDONADO
- KRISTI NICHOLS
- ROY BLUNT
- DEBORAH SOLOMON
- DAVIS CONWAY
- MIKE VONTZ
- CHUCK PURGASON
- TONY LASZACS

FOR STATE AUDITOR
Vote for ONE

- ALLEN ICET
- TOM SCHWEICH

FOR U.S. REPRESENTATIVE
DISTRICT 7
Vote for ONE

- JEFF WISDOM
- GARY NODLER
- MIKE MOON
- DARRELL L. MOORE
- JACK GOODMAN
- BILLY LONG
- MICHAEL WARDELL
- STEVE HUNTER

FOR STATE SENATOR
DISTRICT 20
Vote for ONE

- JAY WASSON

FOR STATE REPRESENTATIVE
DISTRICT 141
Vote for ONE

- KEVIN ELMER
- WILLIAM BRESHEARS

FOR ASSOCIATE
CIRCUIT JUDGE DIVISION 1
Vote for ONE

- LARRY LUNA

FOR ASSOCIATE
CIRCUIT JUDGE DIVISION 2
Vote for ONE

- JOHN WATERS

FOR PRESIDING
COMMISSIONER
Vote for ONE

- LOU LAPAGLIA
- JOHN GRUBAUGH

FOR COUNTY CLERK
Vote for ONE

- KAY BROWN

FOR CLERK
OF THE CIRCUIT COURT
Vote for ONE

- BARBIE BARNETT-STILLINGS
- AMY ROBINETTE-RUSSELL

FOR RECORDER OF DEEDS
Vote for ONE

- LINDA ESSICK
- DENNIS CLINTON
- CONNIE J. TODD
- JIM GRAY
- JOHN FRANCKA
- DENISE L. ERICSON
- SHARON A. STEWART
- L. EMERSON "EMO" REYNOLDS
- KELLY BLUNT HALL

FOR PROSECUTING ATTORNEY
Vote for ONE

- AMY FITE
- RON CLEEK

FOR COUNTY AUDITOR
Vote for ONE

- SUSAN G. "SAM" YARNELL
- LACEY HART

FOR COLLECTOR OF REVENUE
Vote for ONE

- TED NICHOLS

FOR ROSEDALE
COMMITTEEMAN
Vote for ONE

- LOU LAPAGLIA
- OLIVER KRAMER

Write-In

SPECIAL ELECTION
STATUTORY MEASURE

PROPOSITION C

Proposed by 95th General Assembly
(Second Regular Session) SS.SCS
HCS House Bill 1764

Shall the Missouri Statutes be amended to:

- Deny the government authority to penalize citizens for refusing to purchase private health insurance or infringe upon the right to offer or accept direct payment for lawful healthcare services?

- Modify laws regarding the liquidation of certain domestic insurance companies?

It is estimated this proposal will have no immediate costs or savings to state or local governmental entities. However, because of the uncertain interaction of the proposal with implementation of the federal Patient Protection and Affordable Care Act, future costs to state governmental entities are unknown.

- YES
- NO