

Eastern District of Kentucky
FILED

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY

JUN 20 2013

AT LONDON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

KENNY BROWN, individually and in his)
official capacity as the Boone County Clerk,)
et al.,)
)
Plaintiffs,)
)
V.)
)
THE COMMONWEALTH OF)
KENTUCKY, et al.,)
)
Defendants.

ORDER

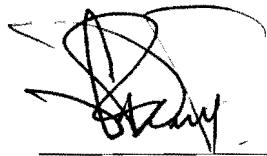
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Before: BOGGS, *Circuit Judge*; VAN TATENHOVE, *District Judge*; and BERTELSMAN, *Senior District Judge*.

This matter is before the Court upon the Agreed Motion to Dismiss [R. 30] tendered jointly by the Plaintiffs and Defendant Jack Conway, Attorney General of the Commonwealth of Kentucky. According to the Agreed Order, Attorney General Conway was named solely for the purpose of notification, pursuant to the requirement of KRS 418.075, and though he acknowledges receipt of notification, he declines to participate in the action. The Plaintiffs acknowledge that they have no actual controversy with the Attorney General, who states that he will not seek to intervene in this matter at a later date, nor assert on behalf of any party that he represents, that he is a necessary or indispensable party. Accordingly, it is hereby **ORDERED** that the Agreed Motion to Dismiss [R. 30] is **GRANTED** and Jack Conway, Attorney General of the Commonwealth of Kentucky, is **DISMISSED** from this action.

This 20th day of June, 2013.

BY THE COURT:



Gregory F. Van Tatenhove
U.S. District Judge