

violation of Missouri Revised Statutes § 1.302.1, as to requiring a seventy-two-hour waiting period (Count Three).

4. Defendants moved to dismiss the Amended Petition of February 22, 2016, and such motion has not yet been argued.

5. On June 25, 2015, Mary Doe, who was no longer pregnant, had filed a two-count complaint against Defendants in the United States District Court for the Eastern District of Missouri, No. 4:15-cv-00986-HEA, asserting claims under 42 U.S.C. § 1983 for Defendants' violation of the Establishment Clause of the United States Constitution (Count One) and for violation of the Free Exercise Clause (Count Two).

6. On July 15, 2016, the federal court dismissed Plaintiff's Complaint for lack of Article III standing, holding, "Plaintiff Doe is not now pregnant, there is no guaranty that she will become pregnant in the future, and that if she does, she will seek an abortion, thus, Plaintiffs' injuries are not sufficiently concrete for the Court to order the requested relief."

7. Plaintiff seeks leave to file the Second Amended Petition, which adds the Establishment Clause and Free Exercise Clause counts from the federal case into the instant action.

8. Plaintiff acted promptly in filing this motion after the recent federal court dismissal and if Plaintiff were not able to file the Second Amended Petition, she would be unfairly prejudiced.

WHEREFORE, Plaintiff Mary Doe requests that this motion be granted and that she be granted any additional relief deemed just and proper.

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was eFiled on July 28, 2016, and thus served by email to the following:

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