

IN THE CIRCUIT COURT OF COLE COUNTY
STATE OF MISSOURI

HEARTLAND MATERIALS, LLC,)	
)	
Relator,)	
)	
v.)	Case No. _____
)	
KEVIN MOHAMMADI, STAFF DIRECTOR,)	
MISSOURI LAND RECLAMATION)	
COMMISSION,)	
1101 Riverside Drive)	
Jefferson City, Missouri 65101)	
)	
Respondent.)	

PRELIMINARY ORDER IN MANDAMUS

TO: Respondent, Kevin Mohammadi, Staff Director of the Missouri
Land Reclamation Commission
Serve:

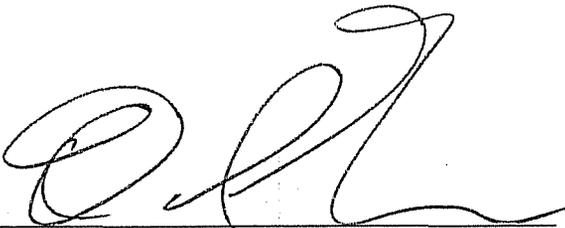
FROM: State of Missouri

The Court takes up and considers the Verified Petition for Writ of Mandamus, the exhibits thereto, and Suggestions in Support filed therewith, and the Court concludes that all of the requisites for the issuance of a Preliminary Order in Mandamus have been satisfied and that a Preliminary Order in Mandamus should now issue until further order of the Court.

NOW, THEREFORE, being willing that the laws be observed and that justice be done, the Court orders and directs that immediately upon receipt of this Preliminary Order in Mandamus that Respondent Kevin Mohammadi, Staff Director of the Missouri Land Reclamation Commission approve the renewal of permit number 1072, as requested by Relator Heartland Materials, LLC, on or about January 24, 2013, pursuant to Mo. Rev. Stat. §444.772 and 10 CSR § 40-10.020.3(C).

IT IS FURTHER ORDERED that if any reasons exist why Respondent may not lawfully be ordered to take the aforesaid actions, that Respondent shall file an answer directed to the Petition in Mandamus with this Court on or before the 20 day of Feb, 2013, and shall serve a copy on counsel for Relator, R. Ryan Harding, whose address is 235 East High Street, Jefferson City, Missouri 65101, in accordance with the provisions of Missouri Supreme Court Rules 94.05 and 94.07. Failure to do so will result in judgment by default against you for the relief demanded in the petition.

DATED THIS 6 day of Feb, 2013



Circuit Judge

STATE OF MISSOURI }
COUNTY OF COLE } ss

Clerk of the Circuit Court of Cole County, Missouri, hereby certify that the above and foregoing is a full true and correct copy of

Order
as fully as the same remains of record in my said office
IN WITNESS WHEREOF, I have hereunto set my hand and
the seal of my said office this 6 day of Feb 2013

D. Dawson by J. Baird
Clerk
Circuit Court of Cole County, Missouri