

STATE OF MISSOURI            )  
  ) SS.  
COUNTY OF JEFFERSON        )

IN THE CIRCUIT COURT OF THE COUNTY OF JEFFERSON  
STATE OF MISSOURI

RAINTREE PLANTATION PROPERTY    )  
OWNERS ASSOCIATION, INC.        )  
  )  
Plaintiff,                            )  
  ) Case No. 15JE-CC00809  
Vs.                                    )  
  )  
DAVID TUCKER, JEFFERSON         )  
COUNTY RAIN TREE COUNTRY CLUB )  
LLC, and DKAAT PROPERTIES, INC. )  
  )  
Defendants.                            )

**ORDER**

Cause called for hearing on Plaintiff’s Application for a Preliminary Injunction. Plaintiff appears through counsel and it’s President James McClung. Defendant David Tucker appears in person and through counsel.

Evidence is adduced and argument of counsel is heard.

The Court enters the following as its Order:

1. The Court finds that there is no harm to the Plaintiff in holding the proposed elections at this time.
2. The Court finds that the meeting was properly applied for.
3. The Court finds after balancing the lack of harm to the Association and the dramatic harm to the Country Club that this requires that the election be held.
4. The Court finds that the Plaintiff has not met its burden and therefore the

Court denies Plaintiff's request for a preliminary injunction.

5. The Court orders that the election shall be conducted by the Defendant David Tucker at a time and place to be determined by the Defendant.

6. The Court orders that the Plaintiff furnish to the Defendant within ten (10) days of this hearing, a list of the names and addresses of all members eligible to vote.

7. The Court orders that the election shall be conducted pursuant to the bylaws with three (3) separately colored ballots and Defendant shall share the proposed ballot with Plaintiff's counsel prior to the election.

8. The Court orders that the election be conducted at the Defendant's expense, subject to further rulings of the court, not later than the week of December 28, 2015, and that the Plaintiff should immediately refund to the Defendant the Six Thousand Dollar (\$6,000.00) deposit previously paid by the Defendant.

This matter is set for status conference on January 5, 2016.

SO ORDERED:

  
Nov 23, 2015, 3:42 pm

Dated: \_\_\_\_\_

\_\_\_\_\_  
LISA PAGE, Judge  
Division No. 5  
Jefferson County, Missouri