

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

|                                             |   |                                |
|---------------------------------------------|---|--------------------------------|
| FIRST BAPTIST CHURCH;                       | ) |                                |
| PASTOR STEPHEN ORMORD;                      | ) |                                |
| CALVARY BAPTIST CHURCH;                     | ) |                                |
| PASTOR AARON HARRIS                         | ) |                                |
|                                             | ) |                                |
| Plaintiffs,                                 | ) |                                |
|                                             | ) | Case No. 6:20-cv-01102-JWB-GEB |
| GOVERNOR LAURA KELLY,                       | ) |                                |
| in her official capacity; ADJUTANT GENERAL  | ) |                                |
| DAVID WEISHAAR, in his official capacity;   | ) |                                |
| GEARY COUNTY SHERIFF DANIEL E.              | ) |                                |
| JACKSON, JR. in his official capacity; FORD | ) |                                |
| COUNTY SHERIFF WILLIAM CARR, in his         | ) |                                |
| official capacity,                          | ) |                                |
|                                             | ) |                                |
| Defendants.                                 | ) |                                |

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL**  
**WITHOUT PREJUDICE**

**WHEREAS**, Plaintiffs filed this action on April 16, 2020, challenging Defendant Kelly's Executive Order 20-18 (replaced by EO 20-25) prohibiting all mass gatherings of 10 or more people in a confined or enclosed space at the same time, while carving out broad exemptions for 26 types of secular activities and singling out churches and other religious services or activities for prohibition.

**WHEREAS**, EO 20-25 expired at 11:59 p.m. on May 3, 2020.

**WHEREAS**, EO 20-25 was replaced by Executive Order 20-29 which allows churches to gather for in-person worship subject to maintaining a 6-foot distance between individuals with an exception for "infrequent or incidental moments of closer proximity."

Therefore, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiffs voluntarily dismiss without prejudice all claims brought in their Verified Complaint in the above-captioned case.

Respectfully submitted this 4th day of May, 2020.

/s/ Tyson C. Langhofer

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 4, 2020, I caused the foregoing to be filed with the Clerk of the Court using the ECF system, which will provide electronic copies to counsel of record.

/s/ Tyson C. Langhofer

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