



4. Plaintiff seeks a temporary and permanent injunction to prevent enforcement of that portion of HB 2221 as above stated (Section 3(d)(8), distinguishing between class A and class B clubs depending upon the date of licensure.

5. Plaintiff has no adequate remedy at law or otherwise for the harm and damages that will be done by denial of equal protection of the law. If such conduct is allowed to continue, it will be impossible for Plaintiff to determine the amount of damages done thereby. Immediacy is required in the granting of injunctive relief because of the pending effective date of HB 2221.

WHEREFORE, Plaintiff prays for a temporary injunction upon the terms and conditions stated hereinabove.

Respectfully submitted:

*Michael W. Merriam*

Michael W. Merriam, #09019  
700 SW Jackson Roof Garden Suite  
Topeka KS 66603  
(785) 233-3700  
Fax: (785) 234-8997  
Attorney for Plaintiff


**VERIFICATION**

State of KANSAS )  
County of Leavenworth )

I, Kevin Haislip, of lawful age, being first duly sworn, state that I am the owner of Downtown B&G, L.L.C., the Plaintiff herein and that the above facts are true and correct.

*Kevin Haislip*  
Kevin Haislip

Subscribed and sworn to before me this 7 day of June, 2010.

 **Heather R. Helm**  
My Appt. Exp. 12/23/2012

*Heather R. Helm*  
Notary Public  
My Appointment Expires: 12/23/2012