IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

MISSOURI ROUNDTABLE FOR LIFE, INC., and FREDERIC N. SAUER,	)	
Plaintiffs,	)	Cause No. 08AC-CC00517
vs.	)	Division II
SARAH STEELMAN, in her official capacity as Missouri Treasurer, et al.,	)	
Defendants.	)	

AMENDED PETITION FOR PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF AND DECLARATORY RELIEF

Plaintiffs Missouri Roundtable for Life, Inc. and Fred N. Sauer, for their Amended Petition against Defendants, respectfully state as follows:

Introduction

1. In this case, Plaintiffs seek to enjoin the disbursement of various state funds until the validity of the statutory "trust fund" to which those funds have purportedly been appropriated, and the validity of the appropriation itself, can be determined.

2. Specifically, Plaintiffs maintain that Article III, § 38(d) of the Missouri Constitution, a/k/a "Amendment No. 2" from 2006 ("Amendment 2" or the "Embryonic Stem Cell Research Amendment") either: 1) rendered the FY 2009 appropriation of $21 million to the Life Sciences Research Trust Fund (sometimes the "LSRTF") "void, invalid, and unenforceable[,]" RSMo § 196.1127.6; or 2) invoked the non-severability clause of RSMo § 196.1127.6, resulting in the nullification of the entire LSRTF statute.

3. Defendants maintain the exact opposite, i.e. that the $21 million appropriation to the LSRTF is valid and enforceable and that the LSRTF still exists.