

APR 26 2017

**IN THE DISTRICT COURT OF ROGERS COUNTY
STATE OF OKLAHOMA**

KIM HENRY, COURT CLERK



DEBRA M. COOPER,)
)
 Plaintiff,)
)
 v.)
)
 NORTHWEST ROGERS COUNTY FIRE)
 PROTECTION DISTRICT, a political)
 subdivision; JAMES MATHEW SHOCKLEY,)
 in his individual capacity; MEL W. DAINTY,)
 in his individual capacity; and NORTHWEST)
 PROFESSIONAL FIREFIGHTERS LOCAL)
 NO. 4057, an Oklahoma Organization,)
)
 Defendants.)

Case No. CJ-2017-207

MOTION FOR HEARING

COMES NOW the Plaintiff Debra M. Cooper (Plaintiff) and hereby submits her Motion for Hearing. In support thereof, Plaintiff alleges and states as follows:

1. That Plaintiff contemporaneously herewith filed a Petition and within her petition is a claim for injunctive and declaratory relief.
2. That the Oklahoma Open Meetings Act, 25 O.S. § 301, et. seq., (OOMA), applies to Defendant Northwest Rogers County Fire Protection District (NW Fire District), a public body.
3. 25 O.S. § 313 provides that actions in willful violation of the OOMA are invalid.
4. That 25 O.S. § 314 provides Plaintiff with the right to seek injunctive and declaratory relief for violations of the OOMA.
5. That additionally, 12 O.S. § 1391 et seq. provides for the right for permanent and temporary injunction as well as declaratory relief.
6. That 12 O.S. § 1651 also provides Plaintiff with the right to seek declaratory relief.

7. That on February 13th 2017, an alleged Special Meeting was held by NW Fire District.

8. Plaintiff was terminated during executive session at the Special Meeting and she was ordered to leave.

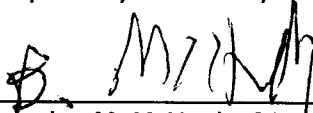
9. That 25 O.S. § 307 requires any action to be done publicly and prohibits action being done in executive session. Nevertheless, Plaintiff was terminated in executive session and ordered to leave a public meeting. Further, NW Fire District attempted to discuss new business at the February 13th 2017 meeting, in violation of the OOMA. That members of the Board of NW Fire District decided in advance of the meeting to terminate Plaintiff.

10. That all action taken at the February 13th 2017 should be declared invalid, Plaintiff should be immediately reinstated, and NW Fire District should be enjoined from further violations.

11. Plaintiff requests that a hearing be had on the merits as to her request for injunctive and declaratory relief and that the Court determine whether the Defendant willfully violated the OOMA and declare any such action invalid and reinstate Plaintiff.

WHEREFORE, for all of the foregoing reasons, Plaintiff respectfully requests that the Court set this matter for hearing on the merits on Plaintiff's request for declaratory and injunctive relief and any other and further relief this Court deems proper.

Respectfully submitted,


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