

**IN THE CIRCUIT COURT OF ST. CHARLES COUNTY, MISSOURI**

**DANNY ROBERSON,**

Plaintiff,

vs.

**RACHEL HOMOLAK, JW; VANESSA HAGEDORN; GRACE CHURCH STL., JANE PUSZKAR; and CHRIS BARRETT**

Defendants.

Case No.: 2411-CC00522

**DEFENDANT RACHEL HOMOLAK'S  
REPLY IN SUPPORT OF SPECIAL  
MOTION TO DISMISS**

Division 4

TABLE OF CONTENTS

I. INTRODUCTION ..... 5

    A. Missouri’s Anti-SLAPP Law Entitles Defendant To Immediate Dismissal of Counts 4, 5, 9, 10, And 11..... 6

    B. Plaintiff Fails To Plead Any Defamation Claims Against Mrs. Homolak, and Counts 1-19 Must Be Dismissed..... 7

        1. Plaintiff fails to plead allegations with certainty..... 7

        2. The Court must dismiss Counts 6, 7, 8, 10, 11, 15 and 16 because the allegations address statements made regarding trans-ideology, not Plaintiff..... 8

        3. The Court must dismiss Counts 1, 2, 3, 4, 5, 7, 8, 12, 14, and 17-19 because the alleged statements are reasonably truthful in substance and/or constitute protected opinion..... 9

        4. Plaintiff is a limited purpose public figure and cannot show actual malice as required to survive dismissal..... 11

    C. Plaintiff’s Alternative False Light Invasion Of Privacy Claims Fail As A Matter of Law and Must Be Dismissed. .... 12

    D. Plaintiff’s Alternative *Prima Facie* Tort Claims Fail As A Matter of Law..... 13

    E. Plaintiff’s Civil Conspiracy Claims Fail On The Merits and Counts 29 and 30 Must Be Dismissed..... 13

II. CONCLUSION ..... 14

Not an Official Court Document Not an Official Court Document Not an Official Court Document

**Cases** Not an Official Court Document Not an Official Court Document Not an Official Court Document

Document Not an Official Court Document Not an Official Court Document Not an Official Court Document

*Bandag of Springfield, Inc. v. Bandag, Inc.*,  
662 S.W.2d 546 (Mo. App. S.D. 1983)..... 13

*Brandenburg v. Ohio*,  
395 U.S. 444 (1969)..... 14

*Brown v. Briggs*,  
569 S.W.2d 760 (Mo. App. 1978)..... 9

*Cedar Green Land Acquisition, L.L.C. v. Baker*,  
212 S.W.3d 225 (Mo. App. S.D. 2007)..... 6

*Chastain v. Kansas City Star*,  
50 S.W.3d 286 (Mo. App. W.D. 2001)..... 8

*Cockram v. Genesco, Inc.*,  
680 F.3d 1046 (8th Cir. 2012)..... 9, 12

*Diez v. Pearson*,  
834 S.W.2d 250 (Mo. App. E.D. 1992) ..... 9

*Farrow v. Saint Francis Med. Ctr.*,  
407 S.W.3d 579 (Mo. 2013) ..... 12, 13

*Gertz v. Robert Welch, Inc.*,  
418 U.S. 323, 94 S. Ct. 2997, 41 L. Ed. 2d 789 (1974) ..... 11

*Kennedy v. Bremerton Sch. Dist.*,  
597 U.S. 507 (2022) ..... 14

*Lami v. Pulitzer Pub. Co.*,  
723 S.W.2d 458 (Mo. App. E.D. 1986) ..... 12

*Langworthy v. Pulitzer Pub. Co.*,  
368 S.W.2d 385 (Mo. 1963) ..... 9

*McQuoid v. Springfield Newspapers, Inc.*,  
502 F. Supp. 1050 (W.D. Mo. 1980) ..... 12

*Meriwether v. Hartop*,  
992 F.3d 492 (6th Cir. 2021)..... 5

*Mitan v. Osborn*,  
10-3207-CV-S-SWH, 2011 WL 4352550 (W.D. Mo. Sept. 16, 2011)..... 7

*Moritz v. Kansas City Star Co.*,  
364 Mo. 32, 258 S.W.2d 583 (1953)..... 9

*Nazeri v. Missouri Valley Coll.*,  
860 S.W.2d 303 (Mo. 1993) .....passim

*Oak Bluff Partners, Inc. v. Meyer*,  
3 S.W.3d 777 (Mo. 1999) ..... 13

*Obergefell v. Hodges*,  
576 U.S. 644, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015) ..... 14

*Saffaf v. Ally Fin.*,  
4:20-CV-276-SPM, 2021 WL 3089039 (E.D. Mo. July 22, 2021)..... 8

*Scales v. United States*,  
367 U.S. 203, (1961) ..... 14

*Snyder v. Phelps*,  
562 U.S. 443 (2011) ..... 14

*State ex rel. BP Products N. Am. Inc. v. Ross*,  
163 S.W.3d 922 (Mo. 2005) ..... 12

*State ex rel. Diehl v. Kintz*,  
162 S.W.3d 152 (Mo. App. E.D. 2005) ..... 9, 12, 13

*Stepnes v. Ritschel*,  
663 F.3d 952 (8th Cir. 2011)..... 11

*Sullivan v. Pulitzer Broad. Co.*,  
709 S.W.2d 475 (Mo. 1986) ..... 12

*Thurston v. Ballinger*,  
884 S.W.2d 22 (Mo. App. W.D. 1994) ..... 9

*Tufts v. Madesco Inv. Corp.*,  
524 F. Supp. 484 (E.D. Mo. 1981)..... 13

*Turnbull v. Herald Co.*,  
459 S.W.2d 516 (Mo. App. 1970)..... 9

*Walker v. Kansas City Star Co.*,  
406 S.W.2d 44 (Mo. 1966)..... 9, 10

*Warner v. Kansas City Star Co.*,  
726 S.W.2d 384 (Mo. App. W.D. 1987) ..... 11

**Statutes**

Mo. Ann. Stat § 537.528 ..... 5, 6

**Rules**

Mo. Sup. Ct. R. 55.033 ..... 15

**DEFENDANT RACHEL HOMOLAK'S REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

**I. INTRODUCTION**

“[T]he premise that gender identity is an idea embraced and advocated by increasing numbers of people is all the more reason to protect the First Amendment rights of those who wish to voice a different view.” *Meriwether v. Hartop*, 992 F.3d 492, 510 (6th Cir. 2021).

In Plaintiff's opposition to Defendant Rachel Homolak's ("Homolak") Motion to Dismiss, what Plaintiff claims is a "mission to persecute" him<sup>1</sup> for the way he dressed, is nothing more than Homolak holding a difference of opinion on a matter of public interest - and voicing it. *See* Plaintiff's Suggestions In Opposition To Defendant Rachel Homolak's Motion To Dismiss ("Pl's Resp.") at 1. Plaintiff claims he was peacefully working the children's desk (while dressed in female attire and makeup) at the public library when his life was permanently altered. *Id.* Likewise, Homolak was peacefully bringing her child to the public library, as many mothers do. What she saw concerned her. She publicly and peacefully voiced her concern but was chilled by this lawsuit. First Amendment free speech rights belong to all citizens speaking on matters of public concern – not just Plaintiff, even if he does not like it or agree. Plaintiff's Complaint lacks all merit and demonstrates a fundamental misunderstanding of Missouri defamation law and is the very reason Missouri enacted the Anti-Slapp statute.

Plaintiff admits Counts 4, 5, and 9 arose directly from statements made during public meetings (which must be dismissed under RSMo § 537.528 (West)). Counts 6, 8, 10, 11, 15, and 16 do not reference Plaintiff at all, and thus cannot support his defamation claim. Counts 1, 2, 3, 4, 5, 7, 12, 13, 14, 17, 18, and 19 are statements Homolak made addressing Plaintiff's clothing, her own opinions about gender ideology, and the library dress code: all protected opinions. In Count 14, Plaintiff alleges that Homolak's mere distribution of the "Rosary Rally Flier (Exhibit "U") is defamation. However, Homolak did not draft, print, or publish this flier. By Plaintiff's logic, anyone who passes out a flier can be liable for defamation. "SLAPP" is an acronym for "strategic lawsuits against public participation," a term of art

---

<sup>1</sup> Plaintiff refers to Roberson as a "she" throughout their pleadings, but this motion shall refer to Roberson consistent with his biological sex.



connection with the June 12, 2023, St. Charles City-County Council meeting (SCCCM); the June 20, 2023, St. Charles County Public Library Board Meeting; and the July 31, 2023, St. Charles City-County Council meetings), as well as Counts 10 and 11 (repostings) must be summarily dismissed with prejudice, and costs awarded to the Defendant.

**B. Plaintiff Fails To Plead Any Defamation Claims Against Mrs. Homolak, And Counts 1-19 Must Be Dismissed.**

**1. Plaintiff fails to plead allegations with certainty.**

Neither Plaintiff's Complaint nor Opposition to Motion to Dismiss provide any information as to which statements Plaintiff claims are defamatory and why. The Court must know and require that a plaintiff explain, with certainty, which words they are alleging are defamatory. *Nazeri v. Missouri Valley Coll.*, 860 S.W.2d 303, 313–24 (Mo. 1993).

Plaintiff argues that this standard was met by attaching the entirety of the videos or recordings as exhibits, and then generally drawing insinuations from them. It was not, "Under Missouri law, a plaintiff complaining of defamation must specifically set forth in the complaint the words which are alleged to be defamatory." *Mitan v. Osborn*, 10-3207-CV-S-SWH, 2011 WL 4352550, at \*3 (W.D. Mo. Sept. 16, 2011) (citation omitted).

Plaintiff's allegations leave Homolak without any certainty. *Id.* at 313–14. Instead of clearly articulating what Homolak said that was allegedly defamatory, Plaintiff relies on Plaintiff's own unsupported impressions and/or arguments of what Homolak did not say. For example, in Count 12, Plaintiff alleges that "Homolak accused Plaintiff of sexual misconduct by alleging Plaintiff indoctrinates and grooms children as a sexual predator." Compl., ¶ 520. This is conclusory as Plaintiff fails to state exactly what was said by Homolak and instead provides an inaccurate and speculative interpretation of what was allegedly said. And the paragraphs Plaintiff asserts he pled verbatim are no better at educating the reader, as it is still impossible to discern how the statements are defamatory. For example, ¶ 99 of Plaintiff's Complaint alleges Homolak posted a meme with words, "All I'm saying is that if the phrase 'Leave the kids alone' is an attack on a certain group, then maybe that group deserves to be attacked." Paragraph 100 of the Complaint further states, "When replying to a comment on the post, Homolak states,

“Confusing kids and forcing sexual ideology and expression on them is child abuse.” Paragraph 121 states, “In the comments, Homolak used Plaintiff’s actual given name for the first time.” Paragraph 122 states, “Upon being asked about Plaintiff’s appearance, Homolak told someone to go checkout ‘Danny the Drag Librarian’ for themselves.” Paragraph 155 states, “On August 1, 2023, Homolak posted on the Bluey Memes page a video of the July 31 SCCCC meeting with the caption, “SHOULD CROSSDRESSING MEN RUN THE CHILDREN’S SECTION OF THE LIBRARY??? The answer is NO!”

What exactly is defamatory about these statements? Nobody knows because Plaintiff’s allegations do not present any statements that amount to defamation, nor do any of his attached Exhibits. Plaintiff’s Complaint frivolously alleges 19 Counts of defamation against Ms. Homolak (Counts 1-19). Each statement allegedly made by Ms. Homolak is non-actionable, because a plaintiff complaining of defamation must specifically set forth in the complaint the words which are alleged to be defamatory. Thus, the Court should dismiss Counts 1 through 19.

**2. The Court must dismiss Counts 6, 7, 8, 10, 11, 15, and 16 because the allegations address statements made regarding trans-ideology, not Plaintiff.**

To be defamatory, a statement must be clear as to the person addressed. *See Saffaf v. Ally Fin., Inc.*, 4:20-CV-276-SPM, 2021 WL 3089039, at \*5 (E.D. Mo. July 22, 2021); *Chastain v. Kansas City Star*, 50 S.W.3d 286, 289 (Mo. App. W.D. 2001) (“Statements about a matter related to the plaintiff, but not actually about the plaintiff himself, cannot support a defamation claim”). Counts 6, 7, 8, 10, 11, 15, and 16 do not refer to Plaintiff at all, but rather address a matter of public interest – trans-ideology. These Counts are thus not actionable as defamation. For example, in Count 7, Plaintiff alleges that Homolak defamed Plaintiff when she spoke on a Christian radio show and described Plaintiff’s manner of dress. Compl., ¶ 395. In the show, Ms. Homolak stated, “They are pushing sex and sexual ideology on children. Sex and children do not mix. That’s how you get pedophilia.” Compl., ¶ 106.

Homolak did not refer to Plaintiff. Rather, Plaintiff mischaracterizes what Defendant said and substitutes it with his mischaracterization of what she did not say. This is a quintessential example of an inference that could not objectively and realistically be proven true or false, are imprecise, and therefore

cannot serve as the basis of a defamation action. *See Diez v. Pearson*, 834 S.W.2d 250, 250–51 (Mo. App. E.D. 1992); *State ex rel. Diehl v. Kintz*, 162 S.W.3d 152, 155–56 (Mo. App. E.D. 2005) (“given the imprecise nature of the phrase, it is uncertain how the truth or falsity of being a ‘trash terrorist’ could be determined”).

**3. The Court must dismiss Counts 1, 2, 3, 4, 5, 7, 8, 12, 14, and 17-19 because the alleged statements are reasonably truthful in substance and/or constitute protected opinion.**

Truth is always a complete defense to defamation and renders a statement incapable of defamatory meaning. *Moritz v. Kansas City Star Co.*, 364 Mo. 32, 258 S.W.2d 583 (1953). Slight inaccuracies of expression are immaterial if the defamatory charge is true in substance. *Brown v. Briggs*, 569 S.W.2d 760, 762 (Mo. App. 1978). A Court must determine whether the “gist” or “sting” of the statements was false. *Cockram v. Genesco, Inc.*, 680 F.3d 1046, 1051 (8th Cir. 2012) (quoting *Turnbull v. Herald Co.*, 459 S.W.2d 516, 519 (Mo. App. 1970)). A statement is not considered false for purposes of defamation simply because it contains an erroneous fact.” *Thurston v. Ballinger*, 884 S.W.2d 22, 26 (Mo. App. W.D. 1994) (“A person is not bound to exact accuracy in his statements about another, if the statements are essentially true”).

In Missouri, even exaggeration is protected from defamation under certain circumstances. Specifically, statements that are considered “rhetorical hyperbole” or “imaginative expression” are generally not actionable as defamation. *Nazeri*, 860 S.W.2d at 314. In *State ex rel. Diehl*, 162 S.W.3d 152, the court held that a flyer distributed at public hearing by citizen opposing company's application for permit to build trash transfer station, calling the company “trash terrorists,” was not actionable in the company’s defamation action against the citizen. The court held that the phrase “trash terrorists” was imprecise and constituted hyperbole, the flyer conveyed the message that approval of the trash transfer station would have a negative impact on community, and the flyer did not imply that the company killed or injured people. *Id.* at 155.

When the Court analyzes whether a statement might rise to defamation per se, the allegedly defamatory “words must be stripped of any pleaded innuendo, *Langworthy v. Pulitzer Pub. Co.*, 368 S.W.2d 385, 388 (Mo. 1963), and construed in their most innocent sense, *Walker v. Kansas City Star*

Co., 406 S.W.2d 44, 51 (Mo. 1966).” *Nazeri*, 860 S.W.2d at 311. This standard is taken together with the Court’s responsibility to analyze the allegedly defamatory words in their “most obvious and natural” meaning and “according to [the] ideas they are calculated to convey to those to whom they are addressed.”

*Id.*

Plaintiff’s theory of the case fails as a matter of law because the statements are either truthful or a matter of mere opinion. Plaintiff is plainly wrong in bringing this lawsuit and without any support in case law in doing so.

Counts 1, 2, 3, 4, 5, 7, 8, 12, 14, and 17-19 all concern statements addressing Plaintiff’s clothing at the library and then provide Homolak’s broader opinion on cross-dressing and its effect on children and Defendant’s opinion of the library’s need for a stricter dress code. These statements are reasonably truthful based on Plaintiff’s own admission that Plaintiff is a biological male who wears “masculine and feminine clothing” with “make-up (mascara and eye shadow).” Compl., ¶ 9; *see also* Compl., ¶ 7. Further examples include Count 8 (7/19/2023 Facebook post: Exhibit L) and Count 13 (8/11/2023 America’s Mom Talk Show: Exhibit T). In both Count 8 and Count 13, Plaintiff alleges that Homolak defamed him when she referred to him as “Danny the drag librarian” in a Facebook post and on a talk show. Compl., ¶¶ 122, 182. This statement is derived from a truthful statement of fact. Plaintiff’s Complaint explains that Plaintiff was born a biological man (Compl., ¶ 7) but wears “masculine and feminine clothing” with “make-up (mascara and eye shadow)” and has a beard or goatee (Compl., ¶ 9). Plaintiff is also admittedly an employee at the local library. Compl., ¶ 10. Dictionary.com defines “in drag” as “wearing clothes normally worn by the opposite sex.” (<https://www.dictionary.com/browse/in-drag#:~:text=Wearing%20clothes%20normally%20worn%20by,1870%5D>, last visited August 7, 2024). Ms. Homolak’s characterization reasonably portrays what Plaintiff has alleged in the Complaint and portrays her opinion on Plaintiff’s appearance and role. Compl., ¶¶ 7, 9, 10.

Additionally, every statement allegedly made by Homolak expresses her protected opinion regarding gender ideology, and thus her statements are not cognizable as false statements.

Plaintiff incorrectly argues that this case is similar to *Nazeri*. In *Nazeri*, 860 S.W.2d 303, the plaintiff (director of Teacher Education) alleged that the defendant (Vice President of the college) told a



When a plaintiff in a defamation case is a limited public figure, the plaintiff must allege that the statements at issue were published with “actual malice.” *McQuoid v. Springfield Newspapers, Inc.* 502 F. Supp. 1050, 1053–1054 (W.D. Mo. 1980). “Actual malice as defined by the Supreme Court, is either knowledge of the falsity of the published statement or reckless disregard for its truth.” *Id.* at 1057. Mere “[p]roof of falsity is not proof of malice” and “malice is not shown by either the defamatory nature of the charges or the failure to investigate alone.” *Lami v. Pulitzer Pub. Co.*, 723 S.W.2d 458, 459 (Mo. App. E.D. 1986) (internal citation omitted).

Because Plaintiff in this case is a limited public figure, he must allege that the statements at issue were published with “actual malice.” Plaintiff has not done so, nor can he. Homolak makes clear that she is “not asking for [Plaintiff] to be removed from his position.” *See* Compl, Ex. A. Homolak expressed her own opinion on controversial issue out of concern for children visiting the library and to call for the implementation of a dress code for library employees. Plaintiff has not alleged any malice in the Complaint – that Homolak knew the falsity of her published statements or had reckless disregard for its truth. Therefore, Plaintiff’s defamation claims against Ms. Homolak (Counts 1-19) must be dismissed.

**C. Plaintiff’s Alternative False Light Invasion Of Privacy Claims Fail As A Matter Of Law And Must be Dismissed.**

As Plaintiff admits in Plaintiff’s opposition to Motion to Dismiss, the Missouri Supreme Court has not yet recognized a claim of False Light. “Further, although the Missouri Supreme Court has not yet recognized a claim of False Light Invasion of Privacy, it has not foreclosed the possibility that such a claim could be recognized in the right circumstance.” *See* Pl’s Resp. at 20.

Plaintiff’s alternative claims for false light invasion of privacy (Alternative Counts 1-19) must be dismissed because Missouri courts do not recognize such a claim. *See, e.g., Sullivan v. Pulitzer Broad. Co.*, 709 S.W.2d 475, 480–81 (Mo. 1986) (en banc); *Nazeri*, 860 S.W.2d at 317; *Farrow v. Saint Francis Med. Ctr.*, 407 S.W.3d 579, 600 (Mo. 2013); *State ex rel. BP Products N. Am. Inc. v. Ross*, 163 S.W.3d 922, 926 (Mo. 2005); *Cockram*, 680 F.3d 1046. In *Sullivan*, the court refused to recognize false light invasion of privacy claims because false light claims undermine the restrictions which have kept defamation claims in check for decades. 709 S.W.2d at 478–79. The Missouri Supreme Court has made

clear that claims for false light invasion of privacy are not cognizable when based on allegedly false statements, as the proper claim is defamation. *See Farrow*, 407 S.W.3d at 600–02. Plaintiff’s attempt to bring a claim that Missouri Courts have never recognized is futile.

**D. Plaintiff’s Alternative *Prima Facie* Tort Claims Fail As A Matter Of Law.**

As Plaintiff admits in his opposition to Motion to Dismiss, the Missouri Supreme Court stated that a prima facie tort is not a “duplicative remedy” for other intentional tort claims. *See* Pl’s Resp. at 21.

Missouri severely limits its recognition of prima facie torts. Although Missouri recognizes such causes of action, it does not allow prima facie tort claims where (1) the factual basis for the prima facie tort claim would also support a traditional tort claim, or (2) where the prima facie tort claim would circumvent the restrictions on traditional tort claims. *See Nazeri*, 860 S.W.2d at 315–16; *see also Bandag of Springfield, Inc. v. Bandag, Inc.*, 662 S.W.2d 546, 554 (Mo. App. S.D. 1983) (*citing Tufts v. Madesco Inv. Corp.*, 524 F. Supp. 484, 486 (E.D. Mo. 1981)).

Here, Plaintiff’s alternative prima facie tort claims (Second Alternate Counts 1 through 19) are based entirely on Homolak’s allegedly defamatory statements. Plaintiff cannot use prima facie tort as a cause of action in the alternative to overcome Anti-Slapp, and defenses of truth and opinion. The correct cause of action for Plaintiff’s allegations is defamation, and Plaintiff cannot alternatively plead prima facie tort as a last-ditch effort to save his legally deficient defamation claims. The Court should dismiss Plaintiff’s prima facie tort Counts.

**E. Plaintiff’s Civil Conspiracy Claims Fail On The Merits And Counts 29 And 30 Must Be Dismissed.**

A civil conspiracy claim cannot stand if there is no viable underlying tort. *Oak Bluff Partners, Inc. v. Meyer*, 3 S.W.3d 777, 781 (Mo. 1999) (“[I]f tortious acts alleged as elements of a civil conspiracy claim fail to state a cause of action, then the conspiracy claim fails as well.”). As demonstrated above, all of Plaintiff’s underlying claims against Ms. Homolak are legally insufficient. Thus, Plaintiff’s civil conspiracy claims fail as well. *See State ex rel. Diehl*, 162 S.W.3d at 156–57.

However, even if the Court sustains any of Plaintiff’s claims, Plaintiff cannot establish the elements required to support a viable conspiracy claim, as Plaintiff’s Complaint is devoid of any specific

allegations that Homolak engaged in a meeting of the minds with either Defendant Puszkar, Defendant Grace Church Saint Louis, or Defendant Barret. *Id.* Additionally, Plaintiff cannot refute that there is no viable allegation in the Complaint that Defendants Homolak, Puszkar, and Grace Church had any unlawful objective when they participated at the Church. Compl., ¶ 956. Nor did Homolak and Barrett have any unlawful objective when they separately spoke at the July St. Charles City-County Council meeting. Compl., ¶¶ 972-983.

Indeed, the First Amendment unequivocally protects Homolak's associations and religious expressions, even if "offensive ... disagreeable ... misguided, or even hurtful." *Snyder v. Phelps*, 562 U.S. 443, 458 (2011); *see also* *Brandenburg v. Ohio*, 395 U.S. 444 (1969); *Scales v. United States*, 367 U.S. 203, 229, (1961); *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 523 (2022); *Obergefell v. Hodges*, 576 U.S. 644, 679–80, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015)). Rather than recognizing Homolak's right to express a view different than his own, Plaintiff has instead alleged that Homolak is not permitted to engage in expressive association with her church or at public meetings and is guilty of conspiracy for doing so. This is erroneous and Plaintiff's conspiracy claim must be dismissed.

## II. CONCLUSION

For the reasons stated above, the Court should dismiss the claims against Defendant Rachel Homolak and grant her attorneys' fees and costs as permitted under Missouri's Anti-SLAPP law.

Dated: October 4, 2024

Respectfully submitted,

GRAVES GARRETT GREIM LLC

ADVOCATES FOR FAITH & FREEDOM

/s/ Katherine Graves

/s/ Kelly Rickert

Katherine Graves # 74671  
1100 Main Street, Suite 2700  
Kansas City, MO 64105  
(816) 256-3181  
kgraves@gravesgarrett.com

Kelly Rickert (*Pro Hac Vice Pending*)  
25026 Las Brisas Road  
Murrieta, CA 92562  
(951) 600-2733  
krickert@faith-freedom.com

*Attorney for Defendant Rachel Homolak*

Court Document Not an Official Court Document Not an Official Court Document Not an Official Court Document

**CERTIFICATE OF SERVICE**

Not an Official Court Document Not an Official Court Document Not an Official Court Document

I hereby certify that on October 4, 2024, I caused the above and foregoing to be filed with the Court's electronic CM/ECF filing system, which automatically served counsel for all parties with a notice of filing the same. Pursuant to Mo. Sup. Ct. R. 55.033, the undersigned hereby verifies that the attorney submitting this document signed the original Answer and shall maintain the original for a period of not less than the maximum allowable time to complete the appellate process.

Not an Official Court Document Not an Official Court Document Not an Official Court Document

/s/ Katherine Graves  
*Attorney for Defendant Rachel Homolak*

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document