

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
TWENTY-SECOND JUDICIAL CIRCUIT  
STATE OF MISSOURI**

JOHN SOLOMON,

Plaintiff,

v.

ST. LOUIS CIRCUIT ATTORNEY.

Defendant.

Case No. 2022-CC00080

---

**MOTION FOR CIVIL CONTEMPT**

---

COMES NOW the Plaintiff, John Solomon, and for the following reasons moves this Court to enter an order holding the Defendant, St. Louis Circuit Attorney (“the Circuit Attorney”), in civil contempt for failing to comply with the Court’s Judgment of July 31, 2020:

1. On July 5, 2019, the Plaintiff submitted to the Defendant a Sunshine Law request seeking “all records of contacts between Circuit Attorney Kimberly Gardner and her staff with the following individuals and entities from Jan. 6, 2017 through July 3, 2019: Scott Faughn; Al Watkins; Jeffrey E. Smith; JES Holdings LLC; Jeff Smith; The Missouri Workforce Housing Association; George Soros; Michael Vachon; Soros Fund Management; The Safety and Justice PAC; Open Society Foundation; Scott Simpson; Katrina Sneed; Phil Sneed; State Rep. Stacy Newman; State Rep. Jay Barnes.”
2. The scope of the inquiry included, but was not limited to, calendar entries, phone

messages, texts, emails, encrypted app chats, letters, and long-distance toll records.

3. This Court entered an Interlocutory Default Judgment (“the Judgment”) in favor of Solomon and against the Circuit Attorney on July 31, 2020.
4. The Judgment gave the Plaintiff fourteen days within which to submit to the Court materials in support of the costs and reasonable attorney fees the Plaintiff was requesting.
5. The Judgment also stated that “no later than seven days after Solomon submits these materials to the Court, the Circuit Attorney shall file any arguments opposing the reasonableness of the requested attorney fees.”
6. On August 14, 2020, the Plaintiff filed a Statement in Support of Reasonable Attorney Fees and supporting materials.
7. Although, per the Judgment, the Circuit Attorney was required to file arguments opposing the reasonableness of the requested attorney fees “no later than” August 21, seven days after Solomon submitted materials in support of the costs and reasonable attorney fees he has requested, the Circuit Attorney did not file anything in opposition to Solomon’s materials.
8. The Judgment ordered the Circuit Attorney to search for and produce to Solomon “all records responsive to Solomon’s July 5, 2019 Sunshine Law request” and to do so “within thirty days of” the date on which the Judgment was entered.
9. Because the Court entered the Judgment on July 31, 2020, the Circuit Attorney was required to search for and produce these records responsive to Solomon’s July

5, 2019 Sunshine Law request no later than Monday, August 31, 2020.

10. As of the date of this filing, September 1, 2020, the Circuit Attorney has not produced to Solomon even one record responsive to his July 5, 2019 Sunshine Law request, nor has the Circuit Attorney offered any reason at all for failing to comply with the Judgment's requirements.

11. The Circuit Attorney's failure to comply with this Court's order to produce these records warrants a finding of civil contempt against the Circuit Attorney and an assignment of penalties sufficient to compel the Circuit Attorney's expedient compliance with the Judgment.

WHEREFORE, Solomon asks the Court to enter an Order:

- A. Finding the Circuit Attorney in civil contempt for its disobedience of the Judgment; it may purge this contempt by producing to Solomon every record responsive to Solomon's July 5, 2019 Sunshine Law request;
- B. Assessing against the Circuit Attorney a per diem fine of \$100, retroactive to August 31, 2020 – the date by which the Judgment required the Circuit Attorney to produce the records to Solomon – and continuing until the Circuit Attorney fully complies with this Court's order to produce to Solomon all records responsive to Solomon's July 5, 2019 Sunshine Law request; and
- C. Ordering the Circuit Attorney to pay Solomon's reasonable attorney fees accrued in preparing and pursuing this motion.

