

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
19TH JUDICIAL CIRCUIT

STEPHANIE COEN, FAWN COLLINS, MARK)
ANTHONY JONES, and JAY PERRY,)

Relators,)

v.)

JACKSON COUNTY, MISSOURI LEGISLATURE,)
FRANK WHITE, MARY JO SPINO, KANSAS CITY)
ELECTION BOARD and JACKSON COUNTY)
ELECTION BOARD)

Respondents.)

Case No.: 2516-CV21560

Division 10

And

JACKSON COUNTY ELECTION BOARD and)
KANSAS CITY ELECTION BOARD,)

Plaintiffs,)

v.)

MARY JO SPINO (in her official capacity as)
the Clerk of the Jackson County Legislature, et al.)

Defendants.)

Case No.: 2516-CV21738

Division 10

ANSWER AND COUNTERCLAIM OF
DEFENDANT FRANK WHITE, IN HIS OFFICIAL CAPACITY
AS JACKSON COUNTY EXECUTIVE

COMES NOW, Frank White, in his official capacity as Jackson County Executive, and
states as follows for his Answer to Plaintiffs' Verified Petition for Declaratory and Injunctive
Relief:

1. Paragraph 1 is an introductory paragraph containing no factual allegations that
require and answer by Defendant White.

2. Defendant White admits the allegations contained in paragraph number 2.
3. Defendant White admits the allegations contained in paragraph number 3.
4. Paragraph 4 states a legal conclusion that does not require an answer by Defendant White.
5. Defendant White admits the allegations contained in paragraph number 5.
6. Defendant White admits the allegations contained in paragraph number 6.
7. Defendant White admits the allegations contained in paragraph number 7.
8. Defendant White admits the allegations contained in paragraph number 8.
9. Defendant White admits the allegations contained in paragraph number 9.
10. Defendant White admits the allegations contained in paragraph number 10.
11. Defendant White admits the allegations contained in paragraph number 11.
12. Defendant White admits the allegations contained in paragraph number 12.
13. Defendant White admits the allegations contained in paragraph number 13.
14. Defendant White admits the allegations contained in paragraph number 14.
15. Defendant White admits the allegations contained in paragraph number 15.
16. Defendant White admits the allegations contained in paragraph number 16.
17. Defendant White admits the allegations contained in paragraph number 17.
18. Defendant White admits the allegations contained in paragraph number 18.
19. Defendant White admits the allegations contained in paragraph number 19.
20. Defendant White admits the allegations contained in paragraph number 20.
21. Defendant White admits the allegations contained in paragraph number 21.
22. Defendant White admits the allegations contained in paragraph number 22.
23. Defendant White admits the allegations contained in paragraph number 23.

24. Defendant White admits the allegations contained in paragraph number 24.
25. Defendant White admits the allegations contained in paragraph number 25.
26. Defendant White admits the allegations contained in paragraph number 26.
27. Defendant White admits the allegations contained in paragraph number 27.
28. Defendant White admits the allegations contained in paragraph number 28.
29. Defendant White admits the allegations contained in paragraph number 29.
30. Defendant White admits the allegations contained in paragraph number 30.
31. Defendant White admits the allegations contained in paragraph number 31.
32. Defendant White admits the allegations contained in paragraph number 32.
33. Defendant White admits the allegations contained in paragraph number 33.
34. Defendant White admits the allegations contained in paragraph number 34.
35. Defendant White admits the allegations contained in paragraph number 35.
36. Defendant White admits the allegations contained in paragraph number 36.
37. Defendant White admits the allegations contained in paragraph number 37.
38. Defendant White admits the allegations contained in paragraph number 38.
39. Defendant White admits the allegations contained in paragraph number 39.
40. Defendant White admits the allegations contained in paragraph number 40.
41. Defendant White admits the allegations contained in paragraph number 41.
42. Defendant White admits the allegations contained in paragraph number 42.
43. Defendant White admits the allegations contained in paragraph number 43.
44. Defendant White admits the allegations contained in paragraph number 44.
45. Defendant White admits the allegations contained in paragraph number 45.
46. Defendant White admits the allegations contained in paragraph number 46.

47. Defendant White admits the allegations contained in paragraph number 47.
48. Defendant White admits the allegations contained in paragraph number 48.
49. Defendant White admits the allegations contained in paragraph number 49.
50. Defendant White admits the allegations contained in paragraph number 50.
51. Defendant White admits the allegations contained in paragraph number 51.
52. Defendant White admits the allegations contained in paragraph number 52.
53. Defendant White admits the allegations contained in paragraph number 53.
54. Defendant White admits the allegations contained in paragraph number 54.
55. Paragraph 55 states a legal conclusion that does not require an answer by Defendant White.

WHEREFORE, Defendant Frank White prays this Court grants the declaratory relief requested by Plaintiffs Jackson County Election Board and Kansas City Election Board, enter a further declaratory judgment that Article XIV, Section 9 of the Jackson County Charter is void as to the recall of a county elected officer, permanently enjoin any election based on the petitions that have been presented to the respective election boards, and for such other relief as the Court deems proper.

COUNTERCLAIMS

Comes now, Counterclaim-Plaintiff, Frank White, in his official capacity as Jackson County Executive, and states as follows for his Counterclaims against Plaintiffs the Jackson County Election Board and the Kansas City Election Board:

1. Paragraphs 3, and 5 through 54 of Plaintiffs' Verified Petition for Declaratory and Injunctive Relief are incorporated as though set forth fully herein.

2. This Court has subject matter jurisdiction over these claims and action pursuant to article V, section 14 of the Missouri Constitution and RSMo § 478.070.

3. Venue is proper in this Court pursuant to RSMo § 508.010.

4. Article XIV, Section 7 of the Jackson County Charter (“Charter”) provides: "Petitions demanding the recall of any elected county officer shall be signed by registered voters equal in number to at least twenty percent of the total vote cast for County Executive, in the district or county, in the last election in which a County Executive was elected." In this instance, twenty percent would equal 42,902.

5. Article XIV, Section 8 of the Charter states: "All petitions referred to in this article shall be filed with the offices or officers charged with conducting elections within the county, which shall be the judge of their sufficiency."

6. From approximately September 2023 through June 2025, petition signatures were submitted to the Jackson County Election Board and the Kansas City Election Board (collectively “Election Boards”) for verification of the signatures.

7. On June 27, 2025, petition signatures were submitted to the Election Boards for verification.

8. On June 30, 2025, the Election Boards certified that they had received and verified 42,902 qualified signatures, sufficient to meet the threshold number of signatures.

9. The petitions that were submitted for approval to the Election Boards contained Circulator Affidavits that showed the street address, including city and state, of the Circulator. The Circulator is the person who obtained the signatures on each petition and attests that the persons who signed the petition did so in their presence. The Circulator’s Affidavit is sworn to in front of a notary public.

10. Missouri law requires that Circulators for petitions presenting a local issue sign a Circulator Affidavit that they are a resident of the State of Missouri.

11. According to the sworn Circulator's Affidavits, many of the Circulators, responsible for thousands of submitted signatures, were not residents of the State of Missouri. They included at least residents of Kansas, Oregon, California, Arizona, Michigan, Nebraska, and Colorado. If the signatures on the petitions signed by out-of-state Circulators are excluded, the Election Boards have not received sufficient signatures to meet the threshold to call a recall election.

12. Any election based on petitions submitted before those submitted on June 27 would be scheduled later than 60 days from the date on which petitions were submitted to the Election Boards.

13. Because the effort to obtain signatures stretched for almost two years, it is possible that by the time signatures were finally counted, some people were no longer registered voters in Jackson County or may have died.

WHEREFORE, Counterclaim Plaintiff respectfully requests that this Court grant the following relief:

1. Issue a declaratory judgment that any petition for the recall of the County Executive must include an affidavit from the Circulator for that petition that they are a resident of the State of Missouri.
2. Issue an order that the Election Boards review the petitions submitted for the recall of the County Executive to determine whether sufficient signatures have been submitted by Circulators who were residents of the State of Missouri.

3. Issue a declaratory judgment that if state law does not permit an election on a recall of an elected county officer under Article XIV, § 7 of the Jackson County Charter within 60 days of the filing of the petitions with the Election Boards, then that election is illegal and shall not be held.
4. Grant such other and further relief as the Court deems proper.

Dated July 30, 2025

Respectfully submitted,

LATHROP GPM LLP

By: /s/ Jean Paul Bradshaw II
Jean Paul Bradshaw II MO Bar No. 31800
Rebecca J. McMahon MO Bar No. 55708
LATHROP GPM LLP
2345 Grand Blvd., Ste. 2200
Kansas City, MO 64108
Phone: 816-292-2000
Fax: 816-292-2001
jeanpaul.bradshaw@lathropgpm.com
rebecca.mcmahon@lathropgpm.com

ATTORNEYS FOR DEFENDANT
FRANK WHITE, JR.