

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

MICHELE BRANT, as Madison County Auditor,	)	CASE NO. CVCV036143
	)	
Plaintiff,	)	
	)	
v.	)	DEFENDANTS' MOTION TO DISMISS AND DISSOLVE STAY
	)	
HEATHER STANCIL and JESSICA HOBBS, as members of the Madison County Board of Supervisors,	)	
	)	
Defendant.	)	

Defendants Heather Stancil and Jessica Hobbs, as members of the Madison County Board of Supervisors, by and through the undersigned counsel, submit this Motion to Dismiss and Dissolve Stay and submit the following in support.

Background¹

On April 28, 2026, the Madison County Board of Supervisors exercised its legislative authority to approve a County budget, which also implemented prior Board actions to reorganize or restructure the County's operations. According to the Petition, the measures approved at that meeting included outsourcing building maintenance, creating new employee positions, and reducing hours of other employee positions. *See* D0002 ¶ 5.² Plaintiff Michele Brant, the Madison County Auditor, filed a Petition seeking a writ of certiorari, injunctive relief, and a declaratory judgment on the basis that two Board members, Defendants Heather Stancil and Jessica

¹ The Defendants dispute many of the facts in the Petition. Nonetheless, the Defendants accept all well-pled facts contained therein solely for purposes of this Motion to Dismiss and state the facts pertinent to this Brief as alleged by the Plaintiff. See *Meade v. Christie*, 974 N.W.2d 770, 775 (Iowa 2022).

² The Defendants have filed a motion for more definite statement, to the extent the Court does not dismiss this matter for the reasons stated herein.

Hobbs, had an “undisclosed conflict of interest” at the time of the April 28 vote because the Auditor had previously filed civil rights complaints against them. A stay implementing any of the Board’s April 28, 2026 actions was entered by the Court on May 29, 2026.

Argument

Ms. Brant’s Petition should be dismissed because even if this Court accepts all facts in the Petition as true, Ms. Brant has no path to success as a matter of law. *White v. Harkrider*, 990 N.W.2d 647, 650 (Iowa 2023).

The same logic should lead the Court to dissolve the stay initially entered in this matter on May 29, 2026. Likewise, the Court should deny the requests for a declaratory judgment, preliminary injunction, and permanent injunction. Finally, because Ms. Brant cannot demonstrate this lawsuit was approved by Madison County, through its Board of Supervisors, the costs of this motion and of defending against Ms. Brant’s claims should not be borne by Madison County.

I. Ms. Brant’s claims fail as a matter of law and should be dismissed.

This matter must be dismissed for at least three independent reasons. First, a writ of certiorari only tests Board decisions made in a quasi-judicial capacity. Yet a board of supervisors clearly uses its legislative powers to set the County’s budget and allocate the County’s resources. The Iowa Supreme Court has repeatedly explained that courts cannot review legislative decisions through a writ of certiorari.

Second, a county official’s complaints filed against Board members doesn’t amount to a “conflict” prohibiting the supervisors from voting on measures related to

that county official or her office. Ms. Brant's position would allow any county official (or county employee) to grind government to a halt based on their say—so.

Third, the gravamen of Ms. Brant's allegations is that Supervisors Stancil and Hobbs retaliated against Brant and her office only after Brant filed civil rights complaints. Ms. Brant's claims are preempted by the Iowa Civil Rights Act. And there is no question Ms. Brant has not administratively exhausted *any* claims, by filing with the Iowa Office of Civil Rights and receiving a right-to-sue letter on all claims.

A. A writ of certiorari cannot review decisions of a board of supervisors acting in a legislative capacity.

Iowa R. Civ. P. 1.1401 permits a party to seek judicial relief when she “claims an inferior tribunal, board, or officer, *exercising judicial functions* ... exceeded proper jurisdiction or otherwise acted illegally.” (Emphasis added). Because the rule only permits review of “judicial functions,” the Court must examine the nature of the challenged act to determine whether a writ of certiorari is even available. *Gates v. City Council of Bloomfield*, 50 N.W.2d 578, 583 (Iowa 1951). The Iowa Supreme Court has repeatedly held that certiorari will not lie against a board of supervisors when it exercises a legislative function such as compensation, staffing, or administrative organization. *See Stream v. Gordy*, 716 N.W.2d 187, 191 (Iowa 2006) (challenging the board's denial to fund an employee-sharing arrangement); *Buechele v. Ray*, 219 N.W.2d 679, 682 (Iowa 1974) (challenging the selection of outside counsel).

The Iowa Supreme Court has long used several factors to determine whether an action is judicial or quasi-judicial—as opposed to legislative—and thus subject to

certiorari review. *See Hoefer v. Sioux City Comm. Sch. Dist.*, 375 N.W.2d 222, 224–25 (Iowa 1985) (citing *Buechele*, 219 N.W.2d at 681). Courts consider:

(1) whether the questioned act involves a proceeding in which notice and an opportunity to be heard are required; (2) whether a determination of rights of parties is made which requires the exercise of discretion in finding facts and applying the law thereto; or (3) whether the challenged act goes to the determination of some right the protection of which is the peculiar office of the courts.

Id. (internal quotations omitted). “*Buechele* also made clear, however, that ‘the mere exercise of judgment or discretion is not alone sufficient to characterize an act as quasi-judicial.’” *Id.* (quoting *Buechele*, 219 N.W.2d at 681).

Conversely, a board of supervisors “serves a legislative function in that it ‘promulgates policies, standards, regulations, or rules of general application and prospective operation.’” *Perkins v. Madison Cnty. Bd. of Sup’rs*, 636 N.W.2d 58, 66 (Iowa 2001) (quoting *Bd. of Sup’rs v. Dep’t of Revenue*, 263 N.W.2d 227, 239 (Iowa 1978)). “As the complexity of our society—and the government’s role in it—has increased, the trend has been towards ‘greater liberality in approving delegations of legislative authority.’” *Larsson v. Iowa Bd. of Parole*, 465 N.W.2d 272, 275 (Iowa 1991) (quoting *Bd. of Sup’rs*, 263 N.W.2d at 238).

A county board of supervisors acts in a legislative capacity “to fix the terms and conditions of public employment.” *Stream*, 716 N.W.2d at 191. In doing so, the Iowa Supreme Court has recognized that “‘the appropriation of money is essentially a legislative function under our scheme of government, and inherent in that power is the power to specify how the money shall be spent.’” *Id.* at 191 (quoting *Welden v. Ray*, 229 N.W.2d 706, 709–10 (Iowa 1975) (internal quotations omitted)). Thus, by voting

to disapprove “the county attorney’s employee-sharing arrangement, [the board members] were doing nothing more than making a legislative determination vested in them by the general assembly.” *Id.* Again, Iowa courts cannot review a board’s legislative decisions through certiorari. *Id.*

Similarly, certiorari was not available to review a school board’s decision to “close four elementary schools and sell a central facility that provided advanced secondary education and technical training courses.” *Wallace v. Des Moines Indep. Comm. Sch. Dist. Bd. of Dirs.*, 754 N.W.2d 854, 856 (Iowa 2008). “Determining where any given student will attend public schools is a legislative decision that only a school board is authorized to make.” *Id.* at 859. Decisions related to the appropriation of public money, i.e., how wisely public money should be spent, is similarly “a legislative function left up to the discretion of the public system.” *Id.* (citing *Welden*, 229 N.W.2d at 709).

Iowa law expressly vests a board of supervisors the authority to “[e]stablish the number of deputies, assistants, and clerks for the offices of auditor, treasurer, recorder, sheriff, and county attorney.” Iowa Code § 331.323(2)(g). Similarly, “[t]he number of deputies, assistants, and clerks for each office *shall be determined by the board.*” *Id.* § 331.903(1) (emphasis added). In a similar case, the Iowa Court of Appeals dismissed a writ of certiorari filed against a board of supervisors—based on the board’s reorganization of county offices—because “[n]either section 331.323 or .903 places restraints on a board’s authority in establishing the number of deputies a county officer may have.” *Miller v. Bd. of Sup’rs of Linn Cnty.*, No. 13-0278, 2013 WL

6116851, at *4 (Iowa Ct. App. Nov. 20, 2013). The same rule controls here. Setting budgets or reducing the hours of county employees as part of a larger revision of county government amounts to a legislative function driven by policy preferences, not judicial elements such as notice, rights, process, or legal protections. *See Stream*, 716 N.W.2d at 191.

Finally, the Board's decision to outsource maintenance must be considered a legislative act, not a judicial one. The decision of how to provide basic public services—either via direct county resources or outsourcing through a competitive bidding process—is a paradigmatic policy decision vested with a board of supervisors. *Cf. Master Builders of Iowa, Inc. v. Polk Cnty.*, 653 N.W.2d 382, 393–94 (Iowa 2002) (discussing the discretion afforded to political subdivisions in considering public bids). These decisions involve questions of allocation of county resources and the setting of county policy, which are legislative determinations not subject to certiorari review.

The remedy for improper legislative conduct is electoral accountability, not certiorari. *Stream*, 716 N.W.2d at 191. None of the factors used by Iowa courts support the idea that Ms. Brant's grievances can be solved through a certiorari action. The Board was exercising precisely the kind of resource-allocation, policy-setting, and personnel authority that Iowa law has long classified as legislative and, therefore, not subject to certiorari review.

B. The filing of a civil rights complaint does not constitute a “conflict” for purposes of nullifying an official’s vote on policy measures.

Even assuming the Board was acting in a quasi-judicial capacity when making budget and administrative decisions (which it was not), Defendants Stancil and

Hobbs were not conflicted from voting on those measures. As pled, Ms. Brant theorizes that a working majority of the Board of Supervisors cannot take *any* action related to the County Auditor's office (then, now, or in the foreseeable future), because Brant has pending civil rights complaints against those Supervisors. Setting aside the fundamental policy implications that position would create, neither conflict-of-interest provision cited in the Petition supports the notion that Defendants Stancil or Hobbs are "conflicted" within the meaning of those statutes.

Ms. Brant first invokes Iowa Code § 68B.2A as a basis for concluding there was a cognizable conflict of interest. But that statute prohibits three specific categories of "outside employment" or "activity": (1) using public resources for private pecuniary benefit; (2) receiving compensation from a private source for performing public duties; and (3) engaging in outside employment or activity subject to the official's own regulatory control. Iowa Code § 68B.2A(1). The Iowa Supreme Court has confirmed that this statute is "meant to target government employees and officials who engage in outside employment or activities, not persons outside of government who provide assistance to those in government." *T & K Roofing Co., Inc. v. Iowa Dep't of Educ.*, 593 N.W.2d 159, 164 (Iowa 1999).

A pending civil rights complaint filed by the County Auditor, *against* two Supervisors, does not involve any outside employment or activity by the Supervisors. The Petition does not allege the Supervisors are engaged in any outside work, receiving private compensation, or exercising regulatory authority over their own activities. They are simply the named respondents in a complaint filed by a county

official. This is categorically different from the conflicts section 68B.2A was designed to address. The statute provides no basis for concluding the Board acted “illegally” due to these “conflicts.”

Even if a conflict *did* exist under that statute, the remedy is not disqualification or nullification of a Supervisor’s vote. The only remedy applicable here is that the official “cease the employment or activity.” Iowa Code § 68B.2A(2); *see Iowa Farm Bureau Fed. v. Environ. Prot. Comm’n*, 850 N.W.2d 403, 412–13 (Iowa 2014). Ms. Brant’s theory does not comply with the statute, and § 68B.2A cannot support her claim or requested remedy.

Alternatively, Ms. Brant invokes Iowa Code § 331.342, which prohibits county officers and employees from having a direct or indirect interest in a “contract” with the county. As used in the statute:

“[C]ontract” means a claim, account, or demand against or agreement with a county, express or implied, other than a contract to serve as an officer or employee of the county.

Id. § 331.342(1). The remedy under the statute is that a contract “entered into in violation of this section is void.” *Id.* § 331.342(2).

The April 28 votes were legislative measures—not contracts. A vote to approve a budget, reorganize an office, outsource maintenance, create a position, reduce a position, or effectively change the working hours of county employees is not a “claim, account, demand against or agreement with” the County. Although the outsourcing resolution did eventually lead to a third-party contract, the Board’s vote authorizing the action is not itself a “contract” under the statute. And the Petition makes no allegation that Defendants Stancil or Hobbs have any connection to a custodial

services vendor selected to implement the County's policy changes. Iowa Code § 331.342 is designed to target financial or pecuniary interests in *contracts*—not adversarial litigation relationships. A pending civil rights complaint does not create a financial or pecuniary interest in any contract. The statute simply does not cover the situation Ms. Brant describes.³

The Petition also implies that a “conflict” *must have* existed—and therefore the board acted illegally—because the Board had previously excluded Ms. Brant from closed sessions of the Board. *See* Pet. ¶¶ 12, 15, 21, 22. While a clever sleight-of-hand, this argument does not transform the Board's votes on these legislative matters into illegal action. A county employee can be “conflicted” from attending a closed session between the Board and its outside counsel without that same issue amounting to a “conflict of interest” resulting in an unlawful vote of the Board.⁴

If successful, Ms. Brant's position would allow any similarly situated county official or county employee in Iowa to bring a board of supervisors to a grinding halt upon her say-so. Nothing would prevent multiplicitous complaints to be filed against a working majority of *any* board of supervisors or city council to paralyze that board or council from taking lawful action. Such weaponization is clearly at odds with the

³ Neither statute cited by Ms. Brant (§ 68B.2A or § 331.342) creates a private cause of action authorizing a court to void legislative votes in the manner requested. *See Shumate v. Drake Univ.*, 846 N.W.2d 503, 506 (Iowa 2014) (noting the factors used by Iowa courts to determine whether a private cause of action exists).

⁴ There is no requirement that a county auditor serve as the clerk to a board of supervisors, in closed session, under all circumstances. The Petition cites an opinion authored by Iowa Attorney General's Office to the contrary; however, the Petition ignores the portion of the opinion that confirms a county auditor must be excluded if a conflict of interest exists. *See* 1992 Op. Atty. Gen. No. 92-11-1, 1992 WL 470382 (recognizing “it may be possible for a potential conflict to exist between the auditor's duty to record closed sessions and the board's need to hold a closed session (i.e., a board holding a closed session to discuss potential litigation against an auditor)”).

fundamental structure of local government and would render election results a nullity. “Practicality is the driving force behind these standards.” *Bluffs Dev. Co., Inc. v. Bd. of Adjust.*, 499 N.W.2d 12, 15 (Iowa 1993) (recognizing local governments would be “seriously handicapped if any conceivable interest, no matter how remote and speculative, would require the disqualification of [that] official” (quoting *Cioffoletti v. Planning & Zoning Comm’n*, 552 A.2d 796, 801 (Conn. 1989))).

The far clearer reading, and the one that complies with Iowa law, is the straightforward proposition that a county official’s filing of a civil rights complaint against a county supervisor does not result in a “conflict” preventing the supervisor’s vote on matters related to that county official. It’s not a conflict under Iowa Code § 68B.2A, § 331.342, or any other common law disqualification doctrine. *See Bluffs Dev. Co., Inc.*, 499 N.W.2d at 15. The Petition makes no effort to argue for disqualification under the common law standard; but even then, bad relationships or personal disagreements between officials—even amounting to the filing of an administrative complaint—do not rise to the level of a conflict. *See id.* There must be a demonstrable, “direct interest that would have been substantially enhanced or depreciated depending on the vote.” *Id.* (quoting other cases).

The Petition claims this is a *per se* conflict and makes no allegations to support the baseless claim. This is insufficient, and the Petition fails as a matter of law. *See id.* (rejecting “bald assertions” of a conflict); *see also In re Gianforte*, 773 N.W.2d 540, 549 (Iowa 2009) (recognizing the presumption in favor of an objective and unbiased

quasi-judicial decisionmaker). No actionable “conflict” exists on the face of the Petition.

C. Ms. Brant’s claims are preempted by the Iowa Civil Rights Act and must be dismissed for failure to exhaust administrative remedies.

Assuming the Court finds there *is* an actionable “conflict” as alleged, the Petition will doom itself: any claim must have been brought to the Iowa Office of Civil Rights before filing in court. *See Mormann v. Iowa Workforce Dev.*, 913 N.W.2d 554, 575 (Iowa 2018) (recognizing that a plaintiff “may plead himself out of court”).

Although the County Auditor’s action is packaged as a writ of certiorari, the crux of the allegations is clear: Ms. Brant believes the Board of Supervisors is unlawfully retaliating against Brant after she filed civil rights complaints against Supervisors Stancil and Hobbs.⁵ Ms. Brant’s requested remedy for these alleged unlawful acts—tellingly—is a return of Ms. Brant’s office to its status prior to the Board making any policy changes, *and further*, to prevent the Board from taking “any other actions directed at the Auditor’s office.” D0002, at 6 (Petition). For purposes of a motion to dismiss, Courts do not focus on the labels of claims—they look to the substance of those claims. *See, e.g., Sikora v. State*, 23 N.W.3d 300, 309 (Iowa 2025); *Mormann v. City of Manchester*, 27 N.W.3d 820, 834–35 (Iowa 2025).

Ms. Brant’s new retaliation claims are preempted by the Iowa Civil Rights Act (“ICRA”) because the ICRA is the exclusive vehicle for claims arising from

⁵ The documents submitted with Ms. Brant’s Petition, including her civil rights complaints and a notarized statement, confirm she believes she is being retaliated against for filing civil rights complaints. *See* Pl.’s Ex. 1 (“Now it was apparent to me that the interference in allowing me to staff my office accordingly **was retaliation for that action.**” (Emphasis added.)).

discriminatory or retaliatory practices by political subdivisions of the state. “To the extent the ICRA provides a remedy for a particular discriminatory practice, its procedure is exclusive and the claimant asserting that practice must pursue the remedy it affords.” *Smidt v. Porter*, 695 N.W.2d 9, 17 (Iowa 2005) (emphasis added).

Ms. Brant’s Petition makes clear she is currently pursuing discrimination claims in accordance with the ICRA: she filed those complaints as attachments to this lawsuit. *See* D0001, Exs. 2–3. However, she then claims the Board *further* retaliated against her because she had filed the initial civil rights complaints. Whether her current grievances are based on the conduct leading to her initial complaints, or due to the more recent Board actions following those initial complaints, the result is the same: the ICRA preempts *all* claims based on the related, operative facts giving rise to discrimination under Iowa’s civil rights laws. This lawsuit must be dismissed on that basis. *Smidt*, 695 N.W.2d at 17 (citing *Channon v. United Parcel Serv., Inc.*, 629 N.W.2d 835, 857–58 (Iowa 2001)); *see, e.g., Vaughn v. Ag Processing, Inc.*, 459 N.W.2d 627, 638 (Iowa 1990); *Waterman v. Nashua-Plainfield Cmty. Sch. Dist.*, No. 07–0521, 2008 WL 141169, at *1–*2 (Iowa Ct. App. Jan. 16, 2008); *see also Fogle ex rel. P.F. v. Clay Elementary Sch.–Se. Polk Cmty. Sch. Dist.*, 27 N.W.3d 538, 544–45 (Iowa 2025) (“Chapter 216 mandates comprehensive, carefully prescribed procedures for bringing a claim to vindicate rights protected by the ICRA.”).

Ms. Brant’s entire theory is that the Board retaliated against her by taking actions affecting her office after she filed civil rights complaints against Board members. The anti-retaliation provision of the ICRA prohibits the discrimination or

retaliation against someone because the person “has filed a complaint, testified, or assisted in any proceeding under” chapter 216. *See* Iowa Code § 216.11(2). If true, this is Ms. Brant’s core allegation of “illegality” of the Board, no matter how cleverly packaged. *See Waterman*, 2008 WL 141169, at *2 (affirming dismissal of a claim based on “the gravamen of the claim”). Retaliation is not incidental to the Petition—it is the entire foundation for the Board’s claimed illegality. Ms. Brant cannot escape preemption by labeling a retaliation claim as a certiorari action or a request for a declaratory judgment, any more than the plaintiffs in *Smidt*, *Channon*, or *Waterman* could escape it by using similar labels.

Ms. Brant styles her retaliation claim as a “conflict of interest” theory in an apparent effort to sidestep the ICRA. But the alleged conflict of interest is not independent of the retaliation claim: it *is* the retaliation claim. The “conflict” she identifies is that the Defendants are respondents in her civil rights complaints. This is the very same protected activity that forms the basis of her retaliation theory. The operative facts are identical. And Brant ultimately seeks a remedy that would put her (and her office) in a “pre-discrimination” status. Under *Smidt*, when the operative facts are the same, and the remedies are the same, the ICRA preempts the alternate but related claims. The conflict-of-interest framing is artful pleading, not a separate and independent cause of action. The ICRA preempts it.

Even if Ms. Brant’s claims were not preempted, they would be subject to dismissal for failure to exhaust administrative remedies. A person “claiming to be aggrieved by an unfair or discriminatory practice must initially seek an

administrative relief by filing a complaint with the agency in accordance with section 216.15.” Iowa Code § 216.16(1). Brant is aware of this requirement, as she has done so with her initial complaints; however, a complainant may only file in district court after receiving a right-to-sue letter from the Office of Civil Rights. *See* Iowa Code § 216.16(4); *Ritz v. Wapello Cnty. Bd. of Sup’rs*, 595 N.W.2d 786, 790 (Iowa 1999). Ms. Brant has not done that—on any complaints. And further, her newest claim—that the board retaliated against her for filing past complaints—must also be submitted to the Office of Civil Rights, after which she could receive a right-to-sue letter. *See McElroy v. State*, 703 N.W.2d 385, 391 n.2 (Iowa 2005) (following federal authority that “each discrete retaliatory action constitutes its own unlawful employment practice for which administrative remedies must be exhausted”).

“Filing an administrative complaint is a mandatory prerequisite to filing a complaint in district court.” *Ackelson v. Manley Toy Direct, L.L.C.*, 832 N.W.2d 678, 680 n.1 (Iowa 2013). Ms. Brant has not demonstrated that she filed a complaint with the Office of Civil Rights challenging the Board’s April 28 actions as retaliation for her civil rights complaints, and further, she has not obtained a right-to-sue letter with respect to those underlying actions. The absence of a right-to-sue letter is fatal to her ability to proceed with any ICRA-covered claim in this Court.

II. The existing stay should be lifted, and the remainder of Ms. Brant’s requested remedies denied.

Because certiorari does not apply to legislative acts, no “conflicts” exist that precluded the Board or any named Defendant from facilitating those legislative acts,

and Ms. Brant's retaliation claims are preempted and have not been administratively exhausted, Brant's Petition must be dismissed.

The existing stay, which was granted in aid of the certiorari proceeding, should thus be dissolved. For the same reasons the Petition should be dismissed, Ms. Brant has failed to demonstrate the need for a declaratory judgment and her requests for injunctive relief should be dismissed, as well. *See Greenbriar Grp., LLC v. Haines*, 854 N.W.2d 46, 51 (Iowa Ct. App. 2014) ("The mere filing of a declaratory judgment action does not, in and of itself, create a justiciable controversy. This is because the declaratory judgment rules do not create substantive rights; instead, they merely provide a mechanism to secure judicial relief in an expeditious manner."). Ms. Brant cannot show a legally cognizable injury, and thus cannot invoke this Court's power to merely issue an advisory opinion on the Board's legislative decisions related to the County Auditor's office.

III. Once dismissed, the costs of defending against the Petition should not be borne by Madison County.

For many of the same reasons outlined in the Defendants' Motion to Disqualify, Defendants respectfully request this Court assess the costs of this motion and of defending against this lawsuit to the Plaintiff, Ms. Brant, personally. The Iowa Supreme Court has made clear that all county officials are required to seek approval from a Board of Supervisors prior to obtaining outside counsel, and the failure to do so means the County is not required to pay the unlawfully obtained outside counsel. *Stream*, 716 N.W.2d at 192. County officials cannot circumvent the *Stream* rule merely by using the County Attorney to initiate the same litigation—especially if the

County Attorney is conflicted—because in either case, the Board of Supervisors has not authorized the litigation on behalf of the County or its public fisc.

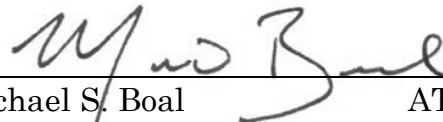
At a minimum, the County Attorney must demonstrate to this Court his authority, as a matter of statute, to initiate litigation representing the County Auditor in an unauthorized lawsuit directly adverse to two County Supervisors. *See Yockey v. Woodbury Cnty.*, 106 N.W. 950, 954 (Iowa 1906) (recognizing that “the authority of the [county] attorney may be called in question by the opposite party, and the court should refuse to proceed further until his authority is shown”).

Conclusion

For the foregoing reasons, Defendants Heather Stancil and Jessica Hobbs respectfully request that this Court (1) dismiss Plaintiff’s Petition in its entirety; (2) dissolve the stay entered by the Court on May 29, 2026; (3) assess the costs of this motion and of defending against this lawsuit to the Plaintiff personally, and (4) grant any further relief as the Court deems just and proper under the circumstances.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify on June 26, 2026, I electronically filed the foregoing with the Clerk of Court using the Iowa Electronic Document Management System which will send a notice of electronic filing to the following parties of record:

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Signature: /s/ E. Strom