

IN THE SUPREME COURT OF THE STATE OF KANSAS

LUKE GANNON, *et al.*,

Plaintiffs/Appellees,

v.

THE STATE OF KANSAS, *et al.*,

Defendants/Appellants.

Case No. 15-113,267-S

NOTICE REGARDING ORAL ARGUMENT

In response to a request from Douglas T. Shima, Clerk of the Kansas Appellate Courts, the State provides this notice regarding the division of the State's time for oral argument in this case on July 18, 2017.

The Solicitor General of Kansas, Stephen R. McAllister, will present oral argument as counsel for the State of Kansas.

On the authorization and request of the Legislative Coordinating Council of the State of Kansas ("LCC"), see Exhibit A, and consistent with past practice in *Montoy v. State*, 282 Kan. 9, 138 P.3d 755 (2006) (*Montoy IV*), the Attorney General of Kansas has appointed Jeffrey R. King, counsel for the LCC, as a Special Assistant Attorney General for the limited purpose of presenting oral argument on July 18, 2017, on behalf of the LCC, a component of the State.

The State intends to divide its 60 minutes of oral argument as follows:

- Stephen R. McAllister, counsel for State of Kansas: 25 minutes;
- Jeffrey R. King, counsel for the LCC: 25 minutes; and

- Rebuttal, to be used by Mr. McAllister and/or Mr. King, as appropriate: 10 minutes.

Respectfully submitted,

OFFICE OF ATTORNEY GENERAL  
DEREK SCHMIDT

By: /s/ Derek Schmidt  
Derek Schmidt, #17781  
Attorney General of Kansas  
Jeffrey A. Chanay, #12056  
Chief Deputy Attorney General  
Stephen R. McAllister, #15845  
Solicitor General of Kansas  
M. J. Willoughby, #14059  
Assistant Attorney General  
Dwight R. Carswell, #25111  
Assistant Solicitor General  
Bryan C. Clark, #24717  
Assistant Solicitor General

Memorial Bldg., 2nd Floor  
120 SW 10th Avenue  
Topeka, Kansas 66612-1597  
Tel: (785) 296-2215  
Fax: (785) 291-3767  
Email: jeff.chanay@ag.ks.gov  
steve.mcallister@trqlaw.com  
mj.willoughby@ag.ks.gov  
dwight.carswell@ag.ks.gov  
bryan.clark@ag.ks.gov

and

Arthur S. Chalmers, #11088  
Jerry D. Hawkins, #18222  
HITE, FANNING & HONEYMAN, LLP  
100 North Broadway, Suite 950  
Wichita, Kansas 67202  
Tel: (316) 265-7741  
Fax: (316) 267-7803

E-mail: [chalmers@hitefanning.com](mailto:chalmers@hitefanning.com)

*Attorneys for the State of Kansas*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 17th day of July 2017, the above Notice was electronically filed with the Clerk of the Court using the Court's electronic filing system, which will send a notice of electronic filing to registered participants, and copies were electronically mailed to:

Alan L. Rupe  
Jessica L. Skladzien  
LEWIS BRISBOIS BISGAARD & SMITH  
1605 North Waterfront Parkway, Suite 150  
Wichita, KS 67206-6634  
Alan.Rupe@lewisbrisbois.com  
Jessica.Skladzien@lewisbrisbois.com

John S. Robb  
Somers, Robb & Robb  
110 East Broadway  
Newton, KS 67114-0544  
johnrobb@robblaw.com  
*Attorneys for Plaintiffs*

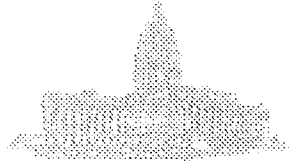
Steve Phillips  
Assistant Attorney General  
OFFICE OF ATTORNEY GENERAL DEREK SCHMIDT  
120 S.W. 10th, 2nd Floor  
Topeka, KS 66612  
steve.phillips@ag.ks.gov  
*Attorney for State Treasurer Ron Estes*

Philip R. Michael  
Daniel J. Carroll  
Kansas Department of Administration  
1000 SW Jackson, Suite 500  
Topeka, KS 66612  
philip.michael@da.ks.gov  
dan.carroll@da.ks.gov  
*Attorneys for Secretary of Administration Jim Clark*

/s/ Dwight R. Carswell  
Dwight R. Carswell

## **EXHIBIT A**

State of Kansas



Susan Wagle  
Senate President

The June 10, 2017, vote of the Legislative Coordinating Council and the June 28, 2017, addendum to the contract between Jeff King and the LCC authorized Mr. King to represent the LCC in briefing and oral argument on the *Gannon v. State* school finance litigation. In the *Montoy v. State* litigation, Legislative Counsel appeared before the Kansas Supreme Court at oral argument through designation as a special assistant attorney general. Recognizing the precedent and efficiency of this procedure, I hereby authorize Jeff King in his role as Legislative Counsel to appear before the Kansas Supreme Court at oral argument through designation as a Special Assistant Attorney General, and waive any potential conflicts of interest in regard to that designation.

s/ Susan Wagle

Susan Wagle  
President, Kansas Senate