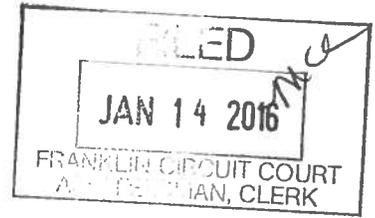


COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION II
CIVIL ACTION NO. 15-CI-1146



KENTUCKY JUSTICE RESOURCE CENTER, INC.,

PLAINTIFF

v.

GOVERNOR MATTHEW G. BEVIN,
in his official capacity as the Governor
of the Commonwealth of Kentucky, et al.,

DEFENDANTS

ANSWER TO AMENDED COMPLAINT

Defendant Matthew G. Bevin, Governor of the Commonwealth of Kentucky, consents to the filing of the Plaintiff's tendered Amended Complaint, and for his Answer to the Amended Complaint states as follows:

1. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 1 of the Amended Complaint.

2. Governor Bevin denies the allegations in Paragraph 2 of the Amended Complaint because they incorrectly identify the chief executive office of the Commonwealth of Kentucky as Governor Beshear. Governor Beshear's term in office has expired, and Governor Bevin is currently the chief executive officer of the Commonwealth of Kentucky.

3. Governor Bevin denies that Paragraph 3 of the Amended Complaint accurately identifies the members of the Governor's Postsecondary Education Nominating Committee. The Governor's Postsecondary Education Nominating Committee is comprised of Debbie B. Hatfield, Shae Hopkins, Kimberly S. McCann, Eugene Jeffrey Mosley, Edward Malone Bourne, Katie E. Beard, and Teresa Dawson Grubbs.

4. Governor Bevin admits that the individuals named in Paragraph 4 of the Amended Complaint are members of the University of Louisville Board of Trustees, but he further states that Paragraph 4 fails to name all of the members of the University of Louisville Board of Trustees. Upon information and belief, the members of the University of Louisville Board of Trustees who are not named in Paragraph 4 of the Amended Complaint are Victoria Allen, Dr. Pam Feldhoff, and Craig Adam Greenberg.

5. With respect to the allegations in Paragraph 5 of the Amended Complaint, Governor Bevin admits that this Court has jurisdiction over this matter.

6. Governor Bevin admits the allegations in Paragraph 6 of the Amended Complaint.

7. With respect to the allegations in Paragraph 7 of the Amended Complaint, Governor Bevin states that CR 57 speaks for itself.

8. With respect to the allegations in Paragraph 8 of the Amended Complaint, Governor Bevin states that CR 65.01 speaks for itself.

9. With respect to the allegations in Paragraph 9 of the Amended Complaint, Governor Bevin states that CR 65.04 speaks for itself.

10. With respect to the allegations in Paragraph 10 of the Amended Complaint, Governor Bevin states that KRS 418.040 speaks for itself.

11. With respect to the allegations in Paragraph 11 of the Amended Complaint, Governor Bevin states that KRS 164.821(5) speaks for itself.

12. With respect to the allegations in Paragraph 12 of the Amended Complaint, Governor Bevin states that KRS 164.005 speaks for itself.

13. With respect to the allegations in Paragraph 13 of the Amended Complaint, Governor Bevin states that KRS 164.005 speaks for itself.

14. Governor Bevin admits the allegations in Paragraph 14 of the Amended Complaint.

15. Governor Bevin admits the allegations in Paragraph 15 of the Amended Complaint.

16. Governor Bevin admits the allegations in Paragraph 16 of the Amended Complaint.

17. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 17 of the Amended Complaint.

18. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 18 of the Amended Complaint.

19. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 19 of the Amended Complaint.

20. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 20 of the Amended Complaint.

21. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 21 of the Amended Complaint.

22. Governor Bevin admits the allegations in Paragraph 22 of the Amended Complaint.

23. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 23 of the Amended Complaint.

24. Governor Bevin lacks sufficient information to admit or deny the allegations in Paragraph 24 of the Amended Complaint.

25. With respect to the allegations in Paragraph 25 of the Amended Complaint, Governor Bevin admits that Governor Beshear signed an Executive Order appointing William E. Summers, IV, to the University of Louisville Board of Trustees on October 21, 2015, and Governor Bevin also admits that, based on the presently available population data, KRS 164.821(5) requires the presence of at least three racial minority members on the University of Louisville Board of Trustees.

26. With respect to the allegations in Paragraph 26 of the Amended Complaint, Governor Bevin admits that the University of Louisville Board of Trustees does not contain the minimum number of racial minority members required by KRS 164.821(5).

27. Governor Bevin admits the allegations in Paragraph 27 of the Amended Complaint.

28. Governor Bevin admits the allegations in Paragraph 28 of the Amended Complaint.

29. Governor Bevin admits the allegations in Paragraph 29 of the Amended Complaint.

30. Governor Bevin admits the allegations in Paragraph 30 of the Amended Complaint.

31. With respect to the allegations in Paragraph 31 of the Amended Complaint, Governor Bevin reiterates, re-alleges, and incorporates by reference his answers to Paragraphs 1-30 of the Amended Complaint as if fully set forth herein.

32. With respect to the allegations in Paragraph 32 of the Amended Complaint, Governor Bevin agrees that there are no factual disputes in this matter.

33. With respect to the allegations in Paragraph 33 of the Amended Complaint, Governor Bevin states that KRS 164.821(5) speaks for itself.

34. Governor Bevin admits the allegations in Paragraph 34 of the Amended Complaint.

35. The allegations in Paragraph 35 of the Amended Complaint are ambiguous and unclear, and therefore Governor Bevin is unable to respond to them.

36. With respect to the allegations in Paragraph 36 of the Amended Complaint, Governor Bevin states that KRS 164.821(5) speaks for itself.

37. Governor Bevin admits the allegations in Paragraph 37 of the Amended Complaint.

38. The allegations in Paragraph 38 of the Amended Complaint are ambiguous and unclear, and therefore Governor Bevin is unable to respond to them.

39. Governor Bevin denies that the relief requested in Paragraph 39 of the Amended Complaint is necessary or appropriate. The Plaintiff asks the Court to define the terms “minority racial composition” and “racial minority,” but those terms already have a plain definition in the English language, and there is no reason to believe that anything but that plain language is intended by the use of those terms in KRS 164.821(5). Moreover, Governor Bevin agrees that, under current U.S. Census data, University of Louisville Board of Trustees must have at least three racial minority members in order to comply with KRS 164.821(5).

40. With respect to the allegations in Paragraph 40 of the Amended Complaint, Governor Bevin reiterates, re-alleges, and incorporates by reference his answers to Paragraphs 1-39 of the Amended Complaint as if fully set forth herein.

41. Governor Bevin admits the allegations in Paragraph 41 of the Amended Complaint.

42. Governor Bevin denies the allegations in Paragraph 42 on the ground that Steve Beshear is no longer Governor of the Commonwealth of Kentucky. Governor Bevin states that it is his desire to fully comply with KRS 164.821(5).

43. Governor Bevin admits the allegations in Paragraph 43 of the Amended Complaint.

44. Governor Bevin admits the allegations in Paragraph 44 of the Amended Complaint.

45. With respect to the allegations in Paragraph 45 of the Amended Complaint, Governor Bevin states that it is his desire and intention to follow the requirements of KRS 164.821(5), and therefore he denies that an injunction is necessary as to him.

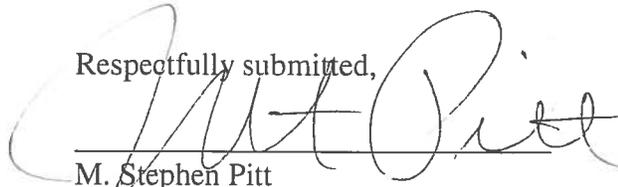
46. With respect to the allegations in Paragraph 46 of the Amended Complaint, Governor Bevin does not object to the Plaintiff's request for appropriate injunctive relief against the University of Louisville Board of Trustees.

47. Governor Bevin objects to the relief requested in Paragraph 47 of the Amended Complaint because it infringes upon the Governor's power to make appointments—i.e., the Postsecondary Education Nominating Committee is without power to make the requested appointments. Moreover, Governor Bevin states that the relief requested in Paragraph 47 of the Amended Complaint is unnecessary because it is his desire and intention to comply with the requirements of KRS 164.821(5) in making appointments to the University of Louisville Board of Trustees.

WHEREFORE, Defendant Matthew G. Bevin, Governor of the Commonwealth of Kentucky, agrees with the Plaintiff that the composition of the University of Louisville Board of Trustees is not in compliance with KRS 164.821(5) and submits that the following relief is appropriate:

- a. A declaration that the University of Louisville Board of Trustees is not in compliance with KRS 164.821(5);
- b. A declaration that the appointments to the University of Louisville Board of Trustees on or about June 26, 2015 are null and void; and
- c. An injunction prohibiting the University of Louisville Board of Trustees from engaging in any activities until such time as it is constituted in a manner that is fully in compliance with KRS 164.821(5).

Respectfully submitted,



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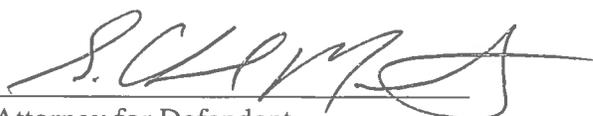
CERTIFICATE OF SERVICE

A true copy of the foregoing was served by U.S. mail, postage prepaid, this 14th day of January, 2016 upon the following:

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