

**IN THE CIRCUIT COURT OF IZARD COUNTY, ARKANSAS  
CIVIL DIVISION**

**CITY COUNCIL OF HORSESHOE BEND, ARKANSAS,  
By and through its Members,**

**PETITIONER**

**v.**

**Case No. 33CV-25-155**

**DUANE DeLAIR, in his official capacity as  
Mayor of the City of Horseshoe Bend, Arkansas,**

**RESPONDENT**

**MOTION TO SUBSTITUTE RESPONSE TO MOTION TO DISMISS**

Comes now Petitioner, the City Council of Horseshoe Bend, Arkansas, by its attorneys, Bequette, Billingsley & Kees, P.A., and for its Motion to Substitute Response to Respondent's Motion to Dismiss, alleges and states:

1. On December 5, 2025, Petitioner filed its Response to Motion to Dismiss with this Court.
2. Upon further review, undersigned counsel discovered that the previously filed Response contained formatting errors which arose from the inclusion of large block quotations from cited case law.
3. The Substituted Response, attached hereto as Exhibit A, is identical in all material and substantive respects to the previously filed Response.
4. No arguments, authorities, or requested relief have been added, removed, or altered in any way.
5. The Substituted Response is filed solely to correct formatting issues and to ensure the cleanest possible record, particularly in the event of any appellate review.

