

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106**

DIVISION 1

**JAMES E. WELSH, PRESIDING JUDGE
ANTHONY REX GABBERT, JUDGE
EDWARD R. ARDINI, JR., JUDGE**

DIVISION 2

**CYNTHIA MARTIN, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
ALOK AHUJA, JUDGE**

DIVISION 3

**KAREN KING MITCHELL, PRESIDING JUDGE
VICTOR C. HOWARD, JUDGE
GARY DEAN WITT, JUDGE**

DIVISION 4

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
THOMAS H. NEWTON, JUDGE
LISA WHITE HARDWICK, JUDGE**

ORAL ARGUMENT DOCKET – FEBRUARY, 2017

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON FEBRUARY 8 AND 22, 2017, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT AT THE COURT OF APPEALS ON FEBRUARY 7, 2017 WITH ONE DOCKET CALL AT 9:00 A.M. AND AT THE UMKC LAW SCHOOL ON FEBRUARY 21, 2017, WITH ONE DOCKET CALL AT 9:30 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON FEBRUARY 1 AND 21, 2017, WITH ONE DOCKET CALL BOTH DAYS AT 9:00 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON FEBRUARY 9, 2017, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

DIVISION 2

CYNTHIA MARTIN, PRESIDING JUDGE

LISA WHITE HARDWICK, JUDGE

ALOK AHUJA, JUDGE

FEBRUARY, 2017

IMPORTANT NOTE

**THIS DIVISION WILL SIT AT THE COURT OF APPEALS ON
FEBRUARY 7, 2017 WITH ONE DOCKET CALL AT 9:00 A.M.
AND AT THE UMKC LAW SCHOOL ON FEBRUARY 21, 2017,
WITH ONE DOCKET CALL AT 9:30 A.M.**

**PLEASE NOTE LOCATION, TIME AND DATE OF YOUR ARGUMENT. THIS
INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR
CASE IS LISTED.**

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

7-Feb-2017 09:00

DIVISION 2

Western District Ct of Appeals

1. **WD79543**

MORGAN COUNTY CIRCUIT COURT

**DMP OZARK CAPITAL PARTNERS, LLC, A MISSOURI LIMITED LIABILITY COMPANY,
RESPONDENT,**

vs

JOHN BLAZIER, ET AL., APPELLANTS.

JOHN BLAZIER, Appellant

ERIK AUGUST BERGMANIS

PENNY J. UMSTATTD-COPE

RICHARD LEO ROLLINGS JR.

DMP OZARK CAPITAL PARTNERS, LLC, Respondent

JOSEPH AARON ELLSWORTH

2. **WD79705**

RAY COUNTY CIRCUIT COURT

JEFFREY KILLIAN, APPELLANT,

vs

ARNETTE LIMITED, DEFENDANT; JASON LEE HOLLANDSWORTH, RESPONDENT.

JEFFREY KILLIAN, Appellant

BRENDAN CONNOR BUCKLEY

JASON LEE HOLLANDSWORTH, Respondent

KENNETH L HALVACHS

RONALD JOSEPH ABERNATHY JR

3. **WD79308**

CLAY COUNTY CIRCUIT COURT

JIMMY D CLARK, APPELLANT,

vs

KELLY ROSINE RUARK, RESPONDENT.

JIMMY D CLARK, Appellant Acting Pro Se

KELLY ROSINE-RUARK, Respondent

CHARLES KEVIN BALDWIN

**MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket**

7-Feb-2017 09:00

DIVISION 2

Western District Ct of Appeals

4. **WD79567**

CLAY COUNTY CIRCUIT COURT

**E.S. (K). D., RESPONDENT
vs
J.A.K.; F.K., J.K., APPELLANTS.**

. F.K., Appellant
 JONATHAN STERNBERG
. J.A.K., Appellant
 JONATHAN STERNBERG
. J.K., Appellant
 JONATHAN STERNBERG
. E.S.K., Respondent
 MOLLY JANE LAUBER
 MICHAEL JOSEPH SVETLIC
