

**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

MEMORANDUM

TO All attorneys with cases on the February 21 , 2017 docket at UMKC

FROM Terence G. Lord

Your case is part of a special docket setting at the UMKC Law School which is located at the corner of 52nd and Oak in Kansas City, Missouri. Arguments will take place in the courtroom which is located on the ground floor of the building. Docket call is at 9:30 a.m.

We look forward to your attendance. If you have any questions, please feel free to call me.

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

21-Feb-2017 09:30

DIVISION 2

UMKC Law School

1. **WD79766**

SALINE COUNTY CIRCUIT COURT

STATE OF MISSOURI, APPELLANT,
vs
ROBERT FRANKLIN BLACK, RESPONDENT.

STATE OF MISSOURI, Appellant
CHRISTINE KATHERINE LESICKO
ROBERT FRANKLIN BLACK, Respondent
JAMES P GRAY
JEDD CHRISTIAN SCHNEIDER

2. **WD79659**

JACKSON COUNTY CIRCUIT COURT

WD79662

ADIDAS MADLOCK, ET AL., APPELLANTS,
vs
WESTAR ENERGY, INC., ET AL., RESPONDENTS.

LEA KEMP, Appellant
TIM EUGENE DOLLAR
ADAM WILLIAM KRAUSE
ADIDAS MADLOCK JR, Appellant
TIM EUGENE DOLLAR
THOMAS J HERSHEWE
ADAM WILLIAM KRAUSE
ROBERT LOUIS KINSMAN
LAILA MADLOCK, Appellant
TIM EUGENE DOLLAR
THOMAS J HERSHEWE
ADAM WILLIAM KRAUSE
LEA KEMP, Appellant
TIM EUGENE DOLLAR
THOMAS J HERSHEWE
ROBERT LOUIS KINSMAN
ESTATE OF LACHELLE KEMP, Appellant
RICK DALE HOLTSCRAW
LAILA MADLOCK, Appellant
TIM EUGENE DOLLAR
ROBERT LOUIS KINSMAN
WESTAR ENERGY, INC, Respondent
JOHN THOMAS BULLOCK
CHARLIE JAMES HARRIS JR.
KEVIN JAGODA KARPIN

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

21-Feb-2017 09:30

DIVISION 2

UMKC Law School

3. **WD79534**

JACKSON COUNTY CIRCUIT COURT

**LAURIE FREEMAN AND MARTIN REID, INDIVIDUALLY AND ON BEHALF OF THEMSELVES AND
ALL PERSONS SIMILARY SITUATED, APPELLANTS,
vs
HAWTHORN BANK, RESPONDENT.**

MISSOURI BANKERS ASSOCIATION, Amicus Curiae
MICHAEL JOSEPH SCHMID
LAURIE FREEMAN, Appellant
JAMES PATRICK FRICKLETON
KIRK JOHN GOZA
MARTIN REID, Appellant
JAMES PATRICK FRICKLETON
EDWARD DERoy ROBERTSON III
KIRK JOHN GOZA
LAURIE FREEMAN, Appellant
JAMES PATRICK FRICKLETON
EDWARD DERoy ROBERTSON III
HAWTHORN BANK, Respondent
JOHN CHRISTIAN AISENBREY
GEORGE FRANCIS VERSCHULDEN

4. **WD79728**

JACKSON COUNTY CIRCUIT COURT

**AMY WARREN, RESPONDENT,
vs
TRIBUNE BROADCASTING COMPANY, LLC, ET AL., APPELLANTS.**

TRIBUNE BROADCASTING COMPANY, LLC, Appellant
ELAINE DRODGE KOCH
TIMOTHY JOHN DAVIS
TRIBUNE BROADCASTING KANSAS CITY, INC., Appellant
ELAINE DRODGE KOCH
TIMOTHY JOHN DAVIS
AMY WARREN, Respondent
STEPHEN C. THORNBERRY
RANDALL WAYNE BROWN
