

**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 3

KAREN KING MITCHELL, PRESIDING

VICTOR C. HOWARD, JUDGE

GARY DEAN WITT, JUDGE

FEBRUARY, 2017

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

IMPORTANT NOTE

**PLEASE NOTE THE 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**

1-Feb-2017 09:00

DIVISION 3

Western District Ct of Appeals

1. **WD79844**

COLE COUNTY CIRCUIT COURT

**MARY I GREEN, APPELLANT,
vs
SHARA D SHIVERDECKER, RESPONDENT.**

MARY I GREEN, Appellant
F RANDALL WALTZ III
SHARA D SHIVERDECKER, Respondent
JONATHAN C BROWNING

2. **WD79580**

COLE COUNTY CIRCUIT COURT

**VINCENT M TRAPANI, APPELLANT,
vs
STATE OF MISSOURI, ET AL., RESPONDENTS.**

VINCENT M TRAPANI, Appellant
ROGER MICHAEL GIBBONS
STATE OF MISSOURI, Respondent --did not file a brief and thus waives argument.
MARK ANTHONY RICHARDSON
GARRICK F D APLIN

3. **WD79821**

JACKSON COUNTY CIRCUIT COURT

**ROYCE JACKSON AND TIMOTHY ARNOLD, APPELLANTS,
vs
STATE OF MISSOURI, DEPT. OF SOCIAL SERVICES, JACKSON COUNTY CHILDREN'S DIVISION,
RESPONDENT.**

ROYCE JACKSON, Appellant Acting Pro Se
TIMOTHY ARNOLD, Appellant Acting Pro Se
DEPARTMENT OF SOCIAL SERVICES, CHILDRENS DIVISION, Respondent
DARYL RALPH HYLTON

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

21-Feb-2017 09:00

DIVISION 3

Western District Ct of Appeals

1. **WD79474** RANDOLPH COUNTY CIRCUIT COURT
WD79489

**SEPTAGON CONSTRUCTION COMPANY INCORPORATED - COLUMBIA, ET AL., RESPONDENTS;
STOCKMAN CONSTRUCTION CORP., APPELLANT-RESPONDENT,**

vs

**MAMTEK U.S., INC., ET AL., PLAINTIFFS; THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE
CITY OF MOBERLY, MAYOR BOB RILEY AND THE MOBERLY REDEVELOPMENT CORPORATION,
RESPONDENTS; CITY OF MOBERLY MISSOURI AND MOBERLY AREA ECONOMIC
DEVELOPMENT CORP, RESPONDENT-APPELLANT.**

STOCKMAN CONSTRUCTION CORP., Appellant-Respondent
CHARLES S KRAMER
PAUL ADAMS GROTE

MAMTEK U.S., INC., Defendant

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MOBERLY, Respondent
DAVID A. STREUBEL
ERIN P SEELE

UMB BANK, N.A., Respondent
DOUGLAS M. WEEMS
LISA EPPS DADE
SCOTT JARED GOLDSTEIN

SEPTAGON CONSTRUCTION COMPANY INC - COLUMBIA, Respondent
THOMAS M MOORE
PHILIP DAVID ALBRECHT

FAITH TECHNOLOGIES, INC., Respondent
ROBERT MACBETH PITKIN

SIHI PUMPS, INC, Respondent
MATTHEW LOUIS FAUL
JOHN TIMOTHY COGHLAN

Respondents Septagon Construction, UMB Bank,
Faith Technologies, Sihi Pumps and Doing Steel
did not file a brief and thus waive argument.

MOBERLY REDEVLOPMENT CORP, Respondent
DAVID A. STREUBEL
MARGARET CLAIRE EVEKER
ERIN P SEELE

BOB RILEY, Respondent
DAVID A. STREUBEL
MARGARET CLAIRE EVEKER
ERIN P SEELE

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF MOBERLY, Respondent
DAVID A. STREUBEL
MARGARET CLAIRE EVEKER

UMB BANK, N.A., Respondent
DOUGLAS M. WEEMS
JEFFREY OWEN PARSHALL

DOING STEEL, INC., Respondent

Case continued on next page----->

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

21-Feb-2017 09:00

DIVISION 3

Western District Ct of Appeals

DOUGLAS LEE HEALY
PENNY SPEAKE
TERRY MILTON JARRETT
MOBERLY AREA ECONOMIC DEVELOPMENT CORP, Respondent-Appellant
DAVID A. STREUBEL
MARGARET CLAIRE EVEKER
ERIN P SEELE
CITY OF MOBERLY, MISSOURI, Respondent-Appellant
DAVID A. STREUBEL
ERIN P SEELE
MARGARET CLAIRE EVEKER

2. **WD79954**

VERNON COUNTY CIRCUIT COURT

**IN THE INTEREST OF: E.E.O., PLAINTIFF; JUVENILE OFFICER, RESPONDENT,
vs
E.A.O., APPELLANT.**

Appellant
BRANDON BURROUGHS FISHER
Plaintiff
JUDY R ULLMANN
Respondent
JOLEENE VICTORIA SIMMONS

continued on next page --->

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

21-Feb-2017 09:00

DIVISION 3

Western District Ct of Appeals

3. **WD79718**

BOONE COUNTY CIRCUIT COURT

**TRACY SHERMAN, APPELLANT,
vs
MICHAEL KAPLAN AND MISSOURI PROFESSIONALS MUTUAL-PHYSICIANS PROFESSIONAL
INDEMNITY ASSOCIATION, RESPONDENTS.**

TRACY SHERMAN, Appellant

DOUGLAS BRIAN PONDER

MISSOURI PROFESSIONALS MUTUAL- PHYSICIANS PROFESSIONAL INDEM,
Respondent

JILL RENEE JACKSON

WADE HAMPTON FORD JR

MICHAEL KAPLAN, Respondent --did not file a brief and thus waives argument.

MARIAM A. DECKER

4. **WD79836**

BOONE COUNTY CIRCUIT COURT

**TRACY LYNN SHERMAN, APPELLANT,
vs
MISSOURI PROFESSIONALS MUTUAL - PHYSICIANS PROFESSIONAL INDEMNITY ASSOCIATION
(MPM-PPIA), ET AL., RESPONDENTS.**

TRACY SHERMAN, Appellant

DOUGLAS BRIAN PONDER

MISSOURI PROFESSIONALS MUTUAL- PHYSICIANS PROFESSIONAL INDEM,
Respondent

WADE HAMPTON FORD JR
