

**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 4**

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING**

**THOMAS H. NEWTON, JUDGE**

**LISA WHITE HARDWICK, JUDGE**

**FEBRUARY, 2017**

**IMPORTANT NOTE**

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

**PLEASE NOTE THE TIME 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**

9-Feb-2017

09:00

DIVISION 4

Western District Ct of Appeals

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1. **WD79497**

CLAY COUNTY CIRCUIT COURT

**WD79962**

**IN RE THE MATTER OF GREGORY FRANCIS, ET AL., DEFENDANT; CHRISTINA FRANCIS,  
APPELLANT, PATRICK DAVIS, MANDEE PINGEL AND DAVIS PINGEL & ASSOCIATES,  
APPELLANTS,**

**vs**

**DANIEL WIELAND, RESPONDENT.**

DAVIS PINGEL & ASSOCIATES, Appellant

ALAN SCOTT MANDEL

MICHAEL JOSEPH SUDEKUM

CHRISTINA M FRANCIS, Appellant

PATRICK MICHAEL DAVIS

MANDEE ROWEN PINGEL

ALAN SCOTT MANDEL

DAVIS PINGEL & ASSOCIATES, Appellant

ALAN SCOTT MANDEL

PATRICK MICHAEL DAVIS

PATRICK M DAVIS, Appellant

ALAN SCOTT MANDEL

MANDEE ROWEN PINGEL

PATRICK MICHAEL DAVIS

MICHAEL JOSEPH SUDEKUM

MANDEE ROWEN PINGEL, Appellant

ALAN SCOTT MANDEL

MANDEE ROWEN PINGEL

PATRICK MICHAEL DAVIS

MICHAEL JOSEPH SUDEKUM

DAVIS PINGEL & ASSOCIATES, Appellant

ALAN SCOTT MANDEL

MANDEE ROWEN PINGEL

GREGORY FRANCIS, Defendant

BENJAMIN MATTHEW WIELAND, Plaintiff

KELLY J. RUARK

DANIEL J WIELAND, Respondent

ALEXANDRA ELIZABETH HUTCHINGS

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

9-Feb-2017 09:00

DIVISION 4

Western District Ct of Appeals

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2. **WD80052**

LABOR AND INDUSTRIAL RELATIONS

**RICHARD GATTENBY, RESPONDENT,  
vs  
TREASURER OF THE STATE OF MISSOURI - CUSTODIAN OF THE SECOND INJURY FUND,  
APPELLANT.**

TREASURER OF THE STATE OF MISSOURI-CUSTODIAN 2ND INJURY FUND, Appellant  
ERIC WILDEN LOWE  
RICHARD GATTENBY, Respondent  
PATRICK BURWELL STARKE

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3. **WD79290**

JACKSON COUNTY CIRCUIT COURT

**BEVERLY ROGERS, APPELLANT,  
vs  
CITY OF KANSAS CITY, MISSOURI, ET AL., RESPONDENTS.**

BEVERLY ROGERS, Appellant  
WAINSWORTH CHARLES ANDERSON  
CITY OF KANSAS CITY, MISSOURI, Respondent  
TARA MICHELLE KELLY  
DONALD FINLEY, Respondent  
TARA MICHELLE KELLY  
EUGENE GRAVES, Respondent  
TARA MICHELLE KELLY

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

9-Feb-2017

10:30

DIVISION 4

Western District Ct of Appeals

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1. **WD79733**

JOHNSON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, EX REL. STEVEN K ROTH, APPELLANT,  
vs  
THE HONORABLE MARK S SIEDLIK ADMINISTRATIVE LAW JUDGE MISSOURI DIVISION OF  
WORKERS' COMPENSATION, RESPONDENT.**

STEVEN K ROTH, Appellant  
JEFFERY THOMAS ADAMS  
MARK S SIEDLIK, Respondent  
LAWRENCE D GREENBAUM

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2. **WD79744**

LABOR AND INDUSTRIAL RELATIONS

**LUCILLE MANDACINA, APPELLANT,  
vs  
HARRAH'S OF NORTH KANSAS CITY AND DIVISION OF EMPLOYMENT SECURITY,  
RESPONDENTS.**

LUCILLE MANDACINA, Appellant  
SAMUEL I MCHENRY  
HARRAH'S NORTH KANSAS CITY CASINO, INC., Respondent  
ARTHUR JAMES NEUHEDEL  
STATE OF MISSOURI DIVISION OF EMPLOYMENT SECURITY, Respondent  
MANDOLIN JACKSON

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3. **WD79673**

VERNON COUNTY CIRCUIT COURT

**KENNETH CHANNEL, PLAINTIFF; SARAH CHANNEL AND MARY CHANNEL, APPELLANTS,  
vs  
CINTAS CORPORATION NO. 2, ET AL., RESPONDENTS.**

SARAH CHANNEL, Appellant  
DANIEL PAUL FINDER  
MARY CHANNEL, Appellant  
DANIEL PAUL FINDER  
KENNETH CHANNEL, Plaintiff  
CINTAS CORPORATION NO. 2, Respondent  
GEORGE W REINBOLD IV

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

9-Feb-2017 10:30

DIVISION 4

Western District Ct of Appeals

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4. **WD78815**

JACKSON COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,  
vs  
COREY D BARRETT, APPELLANT.**

COREY D BARRETT, Appellant  
JEANNETTE LYNN WOLPINK  
STATE OF MISSOURI, Respondent  
RICHARD ANTHONY STARNES

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