



Missouri Court of Appeals

Southern District

Division Two

DOCKET

SEPTEMBER 14, 2016

JOHN Q. HAMMONS OFFICE BUILDING
300 HAMMONS PARKWAY
THIRD FLOOR
SPRINGFIELD, MISSOURI

GARY W. LYNCH, Presiding Judge
NANCY STEFFEN RAHMEYER, Judge
DANIEL E. SCOTT, Judge
WILLIAM W. FRANCIS, JR., Judge

SANDRA L. SKINNER, Clerk

NOTICE

Please carefully review the entire docket. Cases will be called at the times indicated at the top of each page. **Counsel is expected to be present when the docket is called.** If an appellant has requested oral argument, but is not present at the docket call and has not obtained leave of court to continue the matter, that case will be submitted on briefs, unless it is determined that a respondent who is present should be permitted to present oral argument. In any case, a party who has not filed a brief ordinarily will not be permitted to orally argue.

Oral argument is limited to a maximum of 20 minutes for the appellant and 15 minutes for the respondent, unless the court, for good cause shown, not less than 5 days before the date upon which the case is set for oral argument, shall otherwise order. Good faith requests for extension of the time for oral argument will be given careful attention. Appellant may divide his time between original and reply arguments, but not more than 5 minutes of the total time allowed and reserved shall be consumed by reply argument. Time expended for questions and responses thereto will not extend the time for argument.

Please see that your exhibits, if any, have been filed/deposited with the clerk in conformity with Supreme Court Rules 30.05, 81.16, 103 and our Special Rule 4.

Opinions are issued when a majority of the panel of judges who hear your case agrees upon a disposition. 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, and/or your client have special needs, please contact Sandra Skinner, Clerk of the Court at (417) 895-6811 at least one week prior to the scheduled docket in order to assist you.

If you have any questions concerning the docket or court procedure, please contact the clerk of this court, Sandra L. Skinner, at the number (417) 895-6811 during regular business hours.

WAIVER OF ARGUMENT

The Court directs that all waivers of oral argument shall be made in writing submitted and filed no less than seven (7) days prior to the scheduled date of the argument barring exceptional circumstances.

9:00 A.M.

**MISSOURI JUDICIARY
SOUTHERN DISTRICT CT OF APPEAL**

Docket

14-Sep-2016 09:00

Division 2

Springfield

1. SD33925 GREENE COUNTY CIRCUIT COURT

TANNER C. BEASLEY, APPELLANT

vs

DIRECTOR OF REVENUE, STATE OF MISSOURI, RESPONDENT

TANNER C. BEASLEY, Appellant

CARL MATTHEW WARD

DIRECTOR OF REVENUE, STATE OF MISSOURI, Respondent

RACHEL M JONES

2. SD34194 CAMDEN COUNTY CIRCUIT COURT

**VILLAGE OF SUMMERS POINT HOMEOWNERS AND PROPERTY OWNERS ASSOCIATION,
APPELLANT**

vs

STEPHEN R. GALBREATH AND KRISTIN GALBREATH, RESPONDENTS

VILLAGE OF SUMMERS POINT HOMEOWNERS AND PROPERTY OWNERS ASSN, Appellant

GENE A HILTON

RICHARD LEO ROLLINGS JR.

STEPHEN G. GALBREATH AND KRISTIN GALBREATH, Respondent

GREGORY DAVID WILLIAMS

ZANE GREGORY WILLIAMS

3. SD34193 LACLEDE COUNTY CIRCUIT COURT

PHILIP H. BERGER, APPELLANT

vs

COPELAND CORPORATION, LLC, RESPONDENT

PHILIP H. BERGER, Appellant

KENNETH BLAIR MCCLAIN II

LAUREN ELISE MCCLAIN

JONATHAN MESLE SOPER

ANDREW KELLEY SMITH

COPELAND CORPORATION, LLC, Respondent

JOHN C HOLSTEIN

EMMA RUTH SCHUERING

JOHN MICHAEL TYNER

JENNIFER RENE'E GROWCOCK

9:00 A.M.

**MISSOURI JUDICIARY
SOUTHERN DISTRICT CT OF APPEAL**

Docket

14-Sep-2016 09:00

Division 2

Springfield

4. SD34245

GREENE COUNTY CIRCUIT COURT

DIANNA K. MEYER, APPELLANT,

vs

**CITY OF WALNUT GROVE, MISSOURI, AND KEN ECK AS TRUSTEE OF THE JOHNNIE L. HARTIN
AND DONNA R. HARTIN TRUST, RESPONDENTS.**

DIANNA K MEYER, Appellant

NICHOLAS AUSTIN FAX

MATHEW LOUIS PLACZEK

KEN ECK AS TRUSTEE OF THE JOHNNIE AND DONNA HARTIN TRUST, Respondent

KATHERINE ANN ODELL

CITY OF WALNUT GROVE, MISSOURI, Respondent

PATRICIA ANN KECK

1:00 P.M.

**MISSOURI JUDICIARY
SOUTHERN DISTRICT CT OF APPEAL**

Docket

14-Sep-2016 01:00

Division 2

Springfield

1. SD34312 GREENE COUNTY CIRCUIT COURT

TERRY BLANKENSHIP, APPELLANT

vs

**OLD MISSOURI MUTUAL INSURANCE COMPANY, F/K/A NIXA FARMERS MUTUAL INSURANCE
COMPANY, RESPONDENT**

TERRY BLANKENSHIP, Appellant

DANIEL PATRICK MOLLOY

OLD MISSOURI MUTUAL INSURANCE COMPANY, Respondent

DAVID PATRICK BUB

JEFFREY DOUGLAS LESTER

2. SD34202 JASPER COUNTY CIRCUIT COURT

ROSALIE BURT, LEE BLASTOCK, KATHLEEN SPIDELL, AND JACKSON SPIDELL, APPELLANTS,

vs

C. ALLYN BURT, AND CHARLES BURT, INC., RESPONDENTS.

JACKSON SPIDELL, Appellant

JERRY MICHAEL KIRKSEY

KATHLEEN SPIDELL, Appellant

JERRY MICHAEL KIRKSEY

LEE BLASTOCK, Appellant

JERRY MICHAEL KIRKSEY

ROSALIE BURT, Appellant

JERRY MICHAEL KIRKSEY

CHARLES BURT, INC., Respondent

PATRICK RONALD BAIRD

C. ALLYN BURT, Respondent

PATRICK RONALD BAIRD

1:00 P.M.

**MISSOURI JUDICIARY
SOUTHERN DISTRICT CT OF APPEAL**

Docket

14-Sep-2016 01:00

Division 2

Springfield

3. SD34288

LACLEDE COUNTY CIRCUIT COURT

PHIL BERGER, APPELLANT

vs

**EMERSON CLIMATE TECHNOLOGIES, SCROLL COMPRESSORS LLC, GEORGE SVARANOVIC,
RESPONDENTS**

PHIL BERGER, Appellant

GENE P GRAHAM JR

DEBORAH JEANNA BLAKELY

GEORGE SVARANOVIC, Respondent

JAMES FORREST BENNETT

JOHN DONOHUE COMERFORD

EMERSON CLIMATE TECHNOLOGIES, Respondent

JAMES FORREST BENNETT

JOHN DONOHUE COMERFORD

SCROLL COMPRESSORS LLC, Respondent

JAMES FORREST BENNETT

JOHN DONOHUE COMERFORD