

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

**DIVISION 1**

VICTOR C. HOWARD, PRESIDING JUDGE  
JOSEPH M. ELLIS, JUDGE  
ANTHONY REX GABBERT, JUDGE

**DIVISION 2**

THOMAS H. NEWTON, PRESIDING JUDGE  
KAREN KING MITCHELL, JUDGE  
GARY D. WITT, JUDGE

**DIVISION 3**

LISA WHITE HARDWICK, PRESIDING JUDGE  
MARK D. PFEIFFER, JUDGE  
CYNTHIA MARTIN, JUDGE

**DIVISION 4**

JAMES E. WELSH, CHIEF JUDGE, PRESIDING  
ALOK AHUJA, JUDGE  
JAMES P. WILLIAMS, SPECIAL JUDGE

SEPTEMBER, 2013

**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 SEPTEMBER 11, 2013, WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.**

**DIVISION 2: THIS DIVISION WILL SIT ON SEPTEMBER 17, 2013, WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.**

**DIVISION 3: THIS DIVISION WILL SIT ON SEPTEMBER 12 AND 25, 2013 WITH SPLIT DOCKET CALLS AT 9:00 AND 10:30 A.M.**

**DIVISION 4: THIS DIVISION WILL SIT ON SEPTEMBER 10, 2013 WITH ONE DOCKET CALL AT 9:00 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 appellate court on or before the day the reply brief is due or when the court so directs, whichever is earlier. 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 1**

**VICTOR C. HOWARD, PRESIDING JUDGE**

**JOSEPH M. ELLIS, JUDGE**

**ANTHONY REX GABBERT, JUDGE**

**SEPTEMBER, 2013**

**IMPORTANT NOTE**

**THIS DIVISION WILL SIT ON SEPTEMBER 11, 2013, WITH SPLIT  
DOCKET CALLS AT 9:00 AND 10:30 A.M.**



**PLEASE NOTE THE TIME OF YOUR ARGUMENT. IT IS LOCATED AT THE  
TOP OF THE PAGE ON WHICH YOUR CASE IS LISTED.**



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

11-Sep-2013 09:00

DIVISION 1

Western District Ct of Appeals

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1. **WD75427**

JACKSON COUNTY CIRCUIT COURT

**BOBBIE JEAN PROCTOR, APPELLANT**

**vs**

**KANSAS CITY HEART GROUP, P.C., TIMOTHY L BLACKBURN, M.D., RESPONDENTS**

BOBBIE JEAN PROCTOR, Appellant

MICHAEL THOMAS YONKE

THOMAS ROY ONIK

KANSAS CITY HEART GROUP, PC, Respondent

JANA VON RICHARDS

MAUREEN MICHAELA BRADY

TIMOTHY L BLACKBURN M.D., Respondent

JANA VON RICHARDS

MAUREEN MICHAELA BRADY

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2. **WD75791**

JACKSON COUNTY CIRCUIT COURT

**TIMOTHY CHRISTIANSON, RESPONDENT**

**vs**

**THOMAS BORDEN, ET AL., DEFENDANTS; RON GOUCHER D/B/A GOUCHER TRUCKING,  
APPELLANT**

RON GOUCHER, Appellant

THERESA SHEAN HALL

THOMAS BORDEN, Defendant

TIMOTHY CHRISTIANSON, Respondent

TIM EUGENE DOLLAR

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

11-Sep-2013 09:00

DIVISION 1

Western District Ct of Appeals

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3. **WD75873**

HENRY COUNTY CIRCUIT COURT

**ZACH MCGUIRE, ET AL., RESPONDENTS,  
vs  
KENOMA, LLC, ET AL., APPELLANTS.**

SYNERGY, LLC, Appellant  
    JEAN PAUL BRADSHAW II  
        MARA HALPERT COHARA  
        CHAD ERIC BLOMBERG

KENOMA, LLC, Appellant  
    JEAN PAUL BRADSHAW II  
        MARA HALPERT COHARA  
        CHAD ERIC BLOMBERG

PAUL STEFAN, Defendant  
    GEORGE D NICHOLS

WALTER HOWREY, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

PATRICIA BENTLAGE, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

CAROL HUBER, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

KEVIN HUBER, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

WILLIAM MANKA, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

DARVIN BENTLAGE, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

GREGORY HARRIS, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

CINDY HOWREY, Respondent  
    CHARLES FREDERIC SPEER  
        PETER BRITTON BIERI

DALE HUBER, Respondent  
    CHARLES FREDERIC SPEER

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

**11-Sep-2013 09:00**

**DIVISION 1**

**Western District Ct of Appeals**

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PETER BRITTON BIERI  
DEBBIE JO MCGUIRE, Respondent  
CHARLES FREDERIC SPEER  
PETER BRITTON BIERI  
HELEN MANKA, Respondent  
CHARLES FREDERIC SPEER  
PETER BRITTON BIERI  
ZACH MCGUIRE, Respondent  
CHARLES FREDERIC SPEER  
PETER BRITTON BIERI

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

11-Sep-2013 10:30

DIVISION 1

Western District Ct of Appeals

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1. **WD75989** LAFAYETTE COUNTY CIRCUIT COURT

**SALVADOR LARA, JR., RESPONDENT,  
vs  
DIRECTOR OF REVENUE, APPELLANT.**

MISSOURI DEPARTMENT OF REVENUE, Appellant  
DANIEL NEAL MCPHERSON  
SALVADOR LARA JR, Respondent  
SCOTT CAMERON HAMILTON

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2. **WD75253** LABOR AND INDUSTRIAL RELATIONS

**WD75254**

**SHAVON LATTIMER, APPELLANT**

**vs**

**EVELYN L CLARK, D.D.S, RESPONDENT; DIVISION OF EMPLOYMENT SECURITY, RESPONDENT**

SHAVON LATTIMER, Appellant Acting Pro Se  
STATE OF MISSOURI DIVISION OF EMPLOYMENT SECURITY, Respondent  
BART ANTON MATANIC  
EVELYN L CLARK DDS, Respondent Acting Pro Se

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3. **WD76023** JACKSON COUNTY CIRCUIT COURT

**ERIC WILLIAMS, APPELLANT,**

**vs**

**WILLIAM L HUBBARD, LIMITED ADMINISTRATOR AD LITEM OF THE ESTATE OF BETTY  
MARGARET REYNOLDS AND KENNETH NELSON AND SANDRA K NELSON, HUSBAND AND  
WIFE, RESPONDENTS.**

ERIC WILLIAMS, Appellant  
REX V GUMP  
KENNETH NELSON, Respondent  
JOHN M KILROY JR  
ANTHONY W BONUCHI  
SANDRA NELSON, Respondent  
RICHARD EARL MCLEOD  
SANDRA NELSON PERSONAL REP, Respondent  
B JANEEN DEVRIES  
WILLIAM LEE HUBBARD, Respondent Acting Pro Se

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

**11-Sep-2013 10:30**

**DIVISION 1**

**Western District Ct of Appeals**

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**4. WD75395**

**BUCHANAN COUNTY CIRCUIT COURT**

**ANTWOIN M CRAIG #1051455 (29.15), APPELLANT  
vs  
STATE OF MISSOURI, RESPONDENT**

ANTWOIN CRAIG, Appellant  
FREDERICK ERNST  
STATE OF MISSOURI, Respondent  
EVAN JOSEPH BUCHHEIM

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