

**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 2

THOMAS H. NEWTON, PRESIDING JUDGE

KAREN KING MITCHELL, JUDGE

GARY D. WITT, JUDGE

SEPTEMBER, 2013

IMPORTANT NOTE

**THIS DIVISION WILL SIT ON SEPTEMBER 17, 2013 WITH SPLIT
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**

17-Sep-2013 09:00

DIVISION 2

Western District Ct of Appeals

1. **WD75513**
WD75638

BOONE COUNTY CIRCUIT COURT

DIANE MAGRUDER, APPELLANT-RESPONDENT

vs

**BETTY PAULEY, ET AL., DEFENDANT; SUSAN MYERS, INDIVIDUALLY, SUSAN MYERS
REVOCABLE TRUST, MARSHELLE CLARK , INDIVIDUALLY AND MARSHELLE E CLARK, P.C.,
RESPONDENT-APPELLANTS**

DIANE MAGRUDER, Appellant-Respondent

ANTHONY W BONUCHI

JOY IRENE AHERN

WILLIAM EDWARD QUIRK

BETTY PAULEY, Respondent Acting Pro Se

SUSAN DENNIS, Respondent-Appellant

THOMAS M. HARRISON

BRYAN CHARLES BACON

MARSHELLE CLARK, Respondent-Appellant

THOMAS M. HARRISON

BRYAN CHARLES BACON

2. **WD75972**

PLATTE COUNTY CIRCUIT COURT

JAMES D GWYN, ET AL., RESPONDENTS,

vs

LISA F SUMMERS, APPELLANT.

LISA F SUMMERS, Appellant

MICHAEL WILLIAM WALKER

JAMES D GWYN, Respondent

SARAH E. RECKER

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

17-Sep-2013 09:00

DIVISION 2

Western District Ct of Appeals

3. **WD75929**

BUCHANAN COUNTY CIRCUIT COURT

**RONALD & PATRICIA BASTA, AS HEIRS AT LAW TO JOSEPH BASTA, APPELLANTS,
vs
KANSAS CITY POWER & LIGHT COMPANY AND LARRY AND JUDY BLANKENSHIP,
RESPONDENTS.**

RONALD BASTA, Appellant
 MICHAEL PATRICK HEALY
PATRICIA BASTA, Appellant
 MICHAEL PATRICK HEALY
KANSAS CITY POWER & LIGHT COMPANY, Respondent
 R. TODD EHLERT
 JASMINE JAMAL ABOU-KASSEM
 DIANA LYNN BECKMAN
 ROBERT LAWRENCE WARD
LARRY BLANKENSHIP, Respondent
 JEFFREY SCOTT NICHOLS
 ALLISON GAIL CONFER
JUDY BLANKENSHIP, Respondent
 JEFFREY SCOTT NICHOLS
 ALLISON GAIL CONFER
KANSAS CITY POWER & LIGHT COMPANY, Respondent
 R. TODD EHLERT
 THOMAS F FISHER

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

17-Sep-2013 10:30

DIVISION 2

Western District Ct of Appeals

1. **WD75787**

BOONE COUNTY CIRCUIT COURT

**KYLIE SNELLEN, BY AND THROUGH HER NEXT FRIEND, KATHERYN SNELLEN, APPELLANT
vs
CAPITAL REGION MEDICAL CENTER, RESPONDENT**

KYLIE SNELLEN, Appellant
DAVID MICHAEL ZEVAN
RACHEL LYNN ROMAN
KEVIN JOSEPH DAVIDSON
CAPITAL REGION MEDICAL CENTER, Respondent
EDWARD CHRISTIAN CLAUSEN
NICOLE L. SUBLETT
SUSAN FORD ROBERTSON

2. **WD76293**

PLATTE COUNTY CIRCUIT COURT

**STATE OF MISSOURI, APPELLANT,
vs
MARK WOODWORTH, RESPONDENT.**

STATE OF MISSOURI, Appellant
THEODORE ALLEN BRUCE
MARK WOODWORTH, Respondent
ROBERT BROOKS RAMSEY
MICHELE CHRISTINA PUCKETT-BURKHEAD

3. **WD76112**

COOPER COUNTY CIRCUIT COURT

**AMANDA N THOMAS, RESPONDENT,
vs
CHRISTOPHER L MOORE, APPELLANT.**

CHRISTOPHER L MOORE, Appellant
JEFFREY KYLE BASINGER
AMANDA THOMAS, Respondent
JEFFREY R. KAYS

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

17-Sep-2013 10:30

DIVISION 2

Western District Ct of Appeals

4. WD75849

LABOR AND INDUSTRIAL RELATIONS

**ALI MUHAMMAD, APPELLANT
vs
MUSICIAN'S FRIEND, INC., DEFENDANT; DIVISION OF EMPLOYMENT SECURITY, RESPONDENT**

ALI MUHAMMAD, Appellant Acting Pro Se
MUSICIAN'S FRIEND, INC., Defendant
STATE OF MISSOURI DIVISION OF EMPLOYMENT SECURITY, Respondent
BART ANTON MATANIC
