

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

**DIVISION 1**

**THOMAS H. NEWTON, PRESIDING JUDGE  
CYNTHIA MARTIN, JUDGE  
TED ARDINI, JUDGE**

**DIVISION 2**

**LISA WHITE HARDWICK, PRESIDING JUDGE  
KAREN KING MITCHELL, JUDGE  
REX GABBERT, JUDGE**

**DIVISION 3**

**ALOK AHUJA, PRESIDING JUDGE  
VICTOR C. HOWARD, JUDGE  
JAMES E. WELSH, JUDGE**

**DIVISION 4**

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING  
THOMAS H. NEWTON, JUDGE  
GARY D. WITT, JUDGE**

**ORAL ARGUMENT DOCKET – DECEMBER, 2016**

**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 DECEMBER 1, 2016, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON DECEMBER 14, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

***DIVISION 3: THIS DIVISION WILL SIT ON DECEMBER 7, 2016, WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 4: THIS DIVISION WILL SIT ON DECEMBER 20, 2016, 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**

**GARY D. WITT, JUDGE**

**DECEMBER 2016**

**IMPORTANT NOTE**

**THIS DIVISION WILL SIT ON DECEMBER 20, 2016, WITH  
DOCKET CALLS AT 9:00 AND 10:30 A.M.**

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

20-Dec-2016 09:00

DIVISION 4

Western District Ct of Appeals

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1. **WD79431**

JACKSON COUNTY CIRCUIT COURT

**CHARLES L BURGETT, APPELLANT,  
vs  
TASHA R THOMAS, RESPONDENT.**

CHARLES L. BURGETT, Appellant Acting Pro Se

TASHA THOMAS, Respondent Acting Pro Se --DID NOT FILE A BRIEF AND THUS WAIVES ARGUMENT.

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2. **WD79340**

JACKSON COUNTY CIRCUIT COURT

**HEALTH CARE FOUNDATION OF GREATER KANSAS CITY, RESPONDENT,  
vs  
HM ACQUISITION, LLC AND HCA, INC., APPELLANTS.**

HCA, INC., Appellant

THOMAS G KOKORUDA

LAUREN ELYSE TUCKER MCCUBBIN

HM ACQUISITION, LLC, Appellant

THOMAS G KOKORUDA

LAUREN ELYSE TUCKER MCCUBBIN

HEALTH CARE FOUNDATION OF GREATER KANSAS CITY, Respondent

PAUL D SEYFERTH

EDWARD D ROBERTSON

DEENA BEIN JENAB

KEVIN JAGODA KARPIN

MICHAEL LEWIS BLUMENTHAL

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

20-Dec-2016 09:00

DIVISION 4

Western District Ct of Appeals

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3. WD79578

CLAY COUNTY CIRCUIT COURT

**STEPHEN RUSSELL, APPELLANT,  
vs  
STEVEN TAIT, PERSONAL REPRESENTATIVE FOR THE ESTATE OF CHERYL DIANE HEPWORTH,  
RESPONDENT.**

STEPHEN RUSSELL, Appellant

MARK EVERETT PARRISH

VITO CHARLES BARBIERI

JOSHUA ALTON SANDERS

STEVEN TAIT, Respondent

MICHAEL EUGENE MCCAUSLAND

EMMALEE MICHELLE TERRY

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

20-Dec-2016 10:30

DIVISION 4

Western District Ct of Appeals

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1. **WD79063**

JACKSON COUNTY CIRCUIT COURT

**STEVEN S STERLING, ET AL., RESPONDENTS,  
vs**

**JERRY BRIDGE, ET AL., DEFENDANTS; TROY LONG, APPELLANT.**

TROY L LONG, Appellant Acting Pro Se

JERRY BRIDGE, Defendant

STERLING REAL ESTATE ACQUISITIONS, LLC, Respondent

JAMES STEPHEN GRANTHAM

STEVEN STERLING, Respondent

JAMES STEPHEN GRANTHAM

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2. **WD78789**

JACKSON COUNTY CIRCUIT COURT

**ANTHONY C WASHINGTON #512447 (29.15), APPELLANT**

**vs**

**STATE OF MISSOURI, RESPONDENT**

ANTHONY WASHINGTON, Appellant

ROSEMARY ELLEN PERCIVAL

STATE OF MISSOURI, Respondent

MARY HIGHLAND MOORE

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