

IN THE CIRCUIT COURT OF CLINTON COUNTY, MISSOURI  
FORTY THIRD JUDICIAL CIRCUIT  
STATE OF MISSOURI

FILED  
JUN 23 2009

MOLLY LIVINGSTON  
Clerk of Clinton Co. Circuit Court

MICHAEL O'LOUGHLIN, )

Plaintiff, )

v. )

ETEROUTREMER S.A. )

Belgium )

By Special Process Server: )

APS INTERNATIONAL )

and )

MIDWEST HANGER CO. )

SERVE REGISTERED AGENT: )

Timothy O. Kristl )

1220 Washington )

Kansas City, Missouri 64105-1444 )

LOREN BROOKSHIER )

Serve at: 311 Elm Street )

Cowgill, MO 64637 )

and )

ROCKWOOL INDUSTRIES, INC. )

SERVE REGISTERED AGENT: )

The Corporation Trust Company )

Corporation Trust Company )

1209 Orange Street )

Wilmington, Delaware 19801 )

and )

THE SUSQUEHANNA CORPORATION )

SERVE REGISTERED AGENT: )

The Corporation Trust Company )

Corporation Trust Company )

1209 Orange Street )

Wilmington, Delaware 19801 )

Case No. 08CN-CV00705

and )  
)  
**SEEI HOLDINGS, INC.** )  
SERVE REGISTERED AGENT: )  
The Corporation Trust Company )  
Corporation Trust Center )  
1209 Orange Street )  
Wilmington, Delaware 19801 )  
)  
and )  
)  
**PRIME TANNING CORP.** )  
SERVE AT: CSC Lawyers Inc. Svc. Co. )  
221 Bolivar Street )  
Jefferson City, MO 65101 )  
)  
and )  
)  
**PRIME TANNING CO., INC.** )  
SERVE AT: Robert Moore, Jr., President )  
20 Sullivan Street )  
Berwick, ME 03901 )  
)  
and )  
)  
**NATIONAL BEEF LEATHERS CO., LLC** )  
SERVE AT: )  
CT CORPORATION SYSTEM )  
120 South Central Avenue )  
Clayton, MO 63105 )  
)  
and )  
)  
**RICK REAM** )  
SERVE AT: )  
4914 Briarwood Lane )  
St. Joseph, MO 64506 )  
)  
and )  
)  
**VARIOUS OTHER** )  
**JOHN DOE DEFENDANTS** )  
)  
Defendants. )

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE OF COURT TO FILE  
PLAINTIFF'S FIRST AMENDED PETITION FOR DAMAGES**

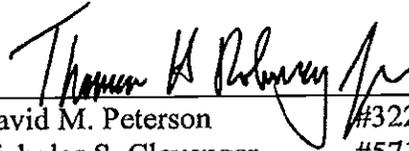
COME NOW Plaintiffs, by and through undersigned counsel, pursuant to Missouri Rule of Civil Procedure 55.33, and for its Motion for Leave of Court to File Plaintiffs' First Amended Petition for Damages, respectfully state as follows:

1. Plaintiff Mike O'Loughlin filed his Petition for Damages on August 26, 2008.
2. To date, Defendant Brookshire is the only Defendant that has filed a responsive pleading.
3. Plaintiff requests leave of court to amend his Petition to add additional Defendants.
4. Plaintiff has obtained written consent from counsel for Defendant Brookshire. (Attached hereto as Exhibit A.)
5. Rule 55.33 allows for amendment of the pleadings by written consent of the adverse party or once as a matter of course before a responsive pleading is served. Defendant Brookshire is the only Defendant that has filed a responsive pleading and has consented to Amended Petition.
6. There will be no prejudice, no additional delay, and no unnecessary expenses to any defendant by allowing Plaintiff to amend his Petition.
7. Pursuant to Rule 55.33, leave to amend pleadings should be freely given when justice so requires.

WHEREFORE, Plaintiff respectfully requests the Court to enter its Order granting his Motion for Leave to File Plaintiff's First Amended Petition for Damages and for such other relief as the Court deems just and proper under the premises.

Respectfully submitted,

**PETERSON & ASSOCIATES, P.C.**



David M. Peterson #32229

Nicholas S. Clevenger #57171

Brett A. Williams #49768

Thomas H. Rowling, Jr. #47825

Park Plaza Building

801 W. 47th Street, Suite 107

Kansas City, Missouri 64112

(816) 531-4440

(816) 531-0660 FAX

**ATTORNEYS FOR PLAINTIFFS AND CLASS**

**CERTIFICATE OF SERVICE:**

I hereby certify that the original of the above and foregoing was filed with the Clerk of the Court this 22<sup>nd</sup> day of June, 2009, with a copy to:

Drew Davis

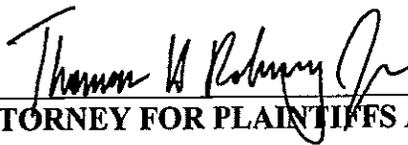
PO Box 610

602 Lana Drive, Suite F

Cameron, MO 64429

**ATTORNEY FOR DEFENDANT**

**LOREN BROOKSHIER**



**ATTORNEY FOR PLAINTIFFS AND CLASS**

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