

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

**DIVISION 1**

**ANTHONY REX GABBERT, PRESIDING JUDGE  
VICTOR C. HOWARD, JUDGE  
CYNTHIA MARTIN, JUDGE**

**DIVISION 2**

**MARK D. PFEIFFER, PRESIDING JUDGE  
LISA WHITE HARDWICK, JUDGE  
JAMES E. WELSH, JUDGE**

**DIVISION 3**

**JOSEPH M. ELLIS, PRESIDING JUDGE  
KAREN KING MITCHELL, JUDGE  
GARY D. WITT, JUDGE**

**DIVISION 4**

**ALOK AHUJA, CHIEF JUDGE, PRESIDING  
THOMAS H. NEWTON, JUDGE  
JAMES F. KANATZER, SPECIAL JUDGE**

**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 2<sup>ND</sup>, 2015 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON DECEMBER 3<sup>RD</sup>, 2015 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

***DIVISION 3: THIS DIVISION WILL SIT ON DECEMBER 16<sup>TH</sup>, 2015 WITH ONE DOCKET CALL AT 9:00 A.M.***

***DIVISION 4: THIS DIVISION WILL SIT ON DECEMBER 8<sup>TH</sup>, 2015 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 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 1**

**ANTHONY REX GABBERT, PRESIDING JUDGE**

**VICTOR C. HOWARD, JUDGE**

**CYNTHIA MARTIN, JUDGE**

**DECEMBER, 2015**

**IMPORTANT NOTE**

**THIS DIVISION WILL SIT ON DECEMBER 2<sup>ND</sup>, 2015 WITH  
DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.**

**PLEASE NOTE TIME AND DATE 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**

**Docket**

2-Dec-2015 09:00

DIVISION 1

Western District Ct of Appeals

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1. **WD78637**

JACKSON COUNTY CIRCUIT COURT

**JULIA MAHONY, RESPONDENT,  
vs  
JOHN KNOX VILLAGE, ET AL., APPELLANTS.**

RODNEY MCBRIDE, Appellant  
JULIANNE P STORY  
TIMOTHY ANDREW HILTON  
BETTY FREEMAN-BOOTS, Appellant  
JULIANNE P STORY  
TIMOTHY ANDREW HILTON  
JOHN KNOX VILLAGE, Appellant  
JULIANNE P STORY  
TIMOTHY ANDREW HILTON  
JULIA MAHONY, Respondent  
MARK ALLEN JESS  
CHRISTIE ELIZABETH JESS  
JOHN JOSEPH ZIEGELMEYER III  
RESPONDENT DIDN'T FILE A BRIEF AND THUS WAIVES ARGUMENT.

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2. **WD77928**

JACKSON COUNTY CIRCUIT COURT

**CLAUDIA LEE & ASSOCIATES, APPELLANT,  
vs  
KANSAS CITY, MISSOURI BOARD OF ZONING ADJUSTMENT, RESPONDENT.**

CLAUDIA LEE & ASSOCIATES, Appellant  
JAMES ALLEN KESSINGER  
BOARD OF ZONING ADJUSTMENT OF CITY OF KANSAS CITY MO, Respondent  
M. MARGARET SHEAHAN MORAN

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

2-Dec-2015 09:00

DIVISION 1

Western District Ct of Appeals

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3. **WD78465**

JACKSON COUNTY CIRCUIT COURT

**MANUEL H LOPEZ, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY SITUATED,  
RESPONDENT,**

**vs**

**H&R BLOCK, INC., ET AL., APPELLANTS.**

MISSOURI CHAMBER OF COMMERCE AND INDUSTRY, Amicus Curiae

BRIAN AUGUST BUNTEN

HRB TAX GROUP, INC., Appellant

JEFFREY JOHN SIMON

DEREK TODD TEETER

H & R BLOCK, INC., Appellant

JEFFREY JOHN SIMON

DEREK TODD TEETER

JENNIFER JEAN ARTMAN

HRB TAX GROUP, INC., Appellant

JEFFREY JOHN SIMON

ROBERT THOMAS ADAMS

JENNIFER JEAN ARTMAN

HRB TECHNOLOGY, LLC, Appellant

JEFFREY JOHN SIMON

DEREK TODD TEETER

ROBERT THOMAS ADAMS

JENNIFER JEAN ARTMAN

H & R BLOCK, INC., Appellant

JEFFREY JOHN SIMON

ROBERT THOMAS ADAMS

MANUEL H LOPEZ III, Respondent

NORMAN ELI SIEGEL

CHRISTOPHER DAVID DANDURAND

TODD MICHAEL MCGUIRE

LINDSAY TODD PERKINS

\*\*\*Argument times: 15 min. for Apps., 15 min. for Resp and 5 min. rebuttal\*\*\*

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

2-Dec-2015 10:30

DIVISION 1

Western District Ct of Appeals

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PETTIS COUNTY CIRCUIT COURT

1. **WD78545**

**DYLAN MARTIN, BY AND THROUGH HIS NATURAL MOTHER AND NEXT FRIEND ROSE MARTIN,  
AND ROSE AND ROY MARTIN, APPELLANTS,  
vs  
AUTO OWNERS INSURANCE COMPANY, RESPONDENT.**

DYLAN MARTIN, Appellant  
    ANDREW JAY GELBACH  
        CHRISTOPHER PAUL SWEENEY  
ROSE MARTIN, Appellant  
    ANDREW JAY GELBACH  
        JOHN EDMUND TURNER  
        CHRISTOPHER PAUL SWEENEY  
ROY MARTIN, Appellant  
    ANDREW JAY GELBACH  
        JOHN EDMUND TURNER  
        CHRISTOPHER PAUL SWEENEY  
AUTO-OWNERS INSURANCE COMPANY, Respondent  
    RUSSELL F WATTERS  
    PATRICK AARON BOUSQUET

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COLE COUNTY CIRCUIT COURT

2. **WD78694**

**LEE'S SUMMIT LICENSE, LLC, ET AL., RESPONDENTS,  
vs  
OFFICE OF ADMINISTRATION, ET AL., APPELLANTS.**

DIVISION OF PURCHASING & MATERIALS MANAGEMENT, Appellant  
    NICHOLE MARIE BOCK  
OFFICE OF ADMINISTRATION, STATE OF MISSOURI, Appellant  
    NICHOLE MARIE BOCK  
MISSOURI DEPARTMENT OF REVENUE, Appellant  
    NICHOLE MARIE BOCK  
LEE'S SUMMIT LICENSE, LLC, Respondent  
    AMANDA JO MONTEE  
    JAMES ALBERT MONTEE

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

**2-Dec-2015**

**10:30**

**DIVISION 1**

**Western District Ct of Appeals**

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JACKSON COUNTY CIRCUIT COURT

**3. WD77943**

**RICKEY E FERDINAND #508848 (29.15), APPELLANT,  
vs  
STATE OF MISSOURI, RESPONDENT.**

RICKEY FERDINAND, Appellant  
LAURA GREETHER MARTIN  
STATE OF MISSOURI, Respondent  
DANIEL NEAL MCPHERSON

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