

**United States Court of Appeals**

***For The Eighth Circuit***

Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329

**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

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October 09, 2008

Mr. Mark A. Olthoff  
SHUGHART & THOMSON  
120 W. 12th Street  
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Kansas City, MO 64105-0000

RE: 08-3087 Samuel Lipari v. US Bancorp, NA, et al

Dear Counsel:

Enclosed is a copy of the dispositive order in the referenced appeal. Please note that FRAP 40 of the Federal Rules of Appellate Procedure requires any petition for rehearing to be filed within 14 days after entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. This court strictly enforces the 14 day period. **No grace period for mailing is granted** for pro-se-filed petitions. A petition for rehearing or a motion for an extension of time must be filed with the Clerk's office within the 14 day period.

Michael E. Gans  
Clerk of Court

DMH

Enclosure(s)

cc: Mr. Andrew M. DeMarea  
Mr. Jay E. Heidrick  
Ms. Patricia L. Brune  
Mr. Samuel K. Lipari

District Court/Agency Case Number(s): 4:06-cv-01012-FJG

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 08-3087

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Samuel K. Lipari,

Plaintiff - Appellant

v.

US Bancorp, NA; US Bank NA,

Defendants - Appellees

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Appeal from U.S. District Court for the Western District of Missouri - Kansas City  
(4:06-cv-01012-FJG)

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**JUDGMENT**

The motion of appellee for dismissal of this appeal is granted. The appeal is hereby dismissed. See [Eighth Circuit Rule 47A\(b\)](#).

October 09, 2008

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans