

**U.S. District Court
District of Kansas (Kansas City)
CIVIL DOCKET FOR CASE #: 2:07-cv-02146-CM-DJW**

Lipari v. US Bancorp N A et al
Assigned to: District Judge Carlos Murguia
Referred to: Magistrate Judge David J. Waxse
Case in other court: USDC Western District of
Missouri, 06-01012
Cause: 28:1332 Diversity-Other Contract

Date Filed: 04/10/2007
Jury Demand: Both
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

Samuel K. Lipari

represented by **Samuel K. Lipari**
297 NE Bayview
Lee's Summit, MO 64064
PRO SE

Ira Dennis Hawver
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TERMINATED: 01/02/2008

V.

Defendant

US Bancorp N A

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Defendant

US Bank NA

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Mark A. Olthoff
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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04/10/2007		Case transferred in from Western District of Missouri. Case Number 06-1012. Case is an electronic transfer.(mm) (Entered: 04/11/2007)
04/10/2007	1	NOTICE OF REMOVAL from Western District of Missouri, case number 06-1012, filed by Samuel K. Lipari. (Attachments: (1) Exhibit A)(Originally filed in WD/MO on 12/13/06)(mm) (Entered: 04/11/2007)
04/10/2007	7	ANSWER to Complaint 1 by US Bancorp N A, US Bank NA. (Originally filed in WD/MO on 12/21/06)(mm) (Entered: 04/11/2007)
04/10/2007	12	REPLY to 2 Answer to Complaint by Plaintiff Samuel K. Lipari. (Attachments: (1) Exhibit A)(Originally filed in WD/MO on 1/4/07)(mm) (Entered: 04/11/2007)
04/10/2007	20	REPORT OF RULE 26 meeting by US Bancorp N A, US Bank NA (Originally filed in WD/MO on 2/9/07) (mm) (Entered: 04/11/2007)
04/10/2007	21	ORDER transferring case from the Western District of Missouri to the District of Kansas. (mm) (Entered: 04/11/2007)
04/25/2007	22	MOTION to Dismiss by Defendants US Bancorp N A, US Bank NA (Olthoff, Mark) (Entered: 04/25/2007)
04/25/2007	23	MEMORANDUM IN SUPPORT of 22 MOTION to Dismiss by Defendants US Bancorp N A, US Bank NA (Attachments: # 1 Notice of Exhibit Attachment)(Olthoff, Mark) (Entered: 04/25/2007)
04/27/2007	24	MEMORANDUM IN SUPPORT of 22 MOTION to Dismiss by Defendants US Bancorp N A, US Bank NA (Attachments: # 1 Exhibit A-1 Plaintiff's Amended Complaint Part 1# 2 Exhibit A-2 Plaintiff's Amended Complaint Part 2# 3 Exhibit B - December 30, 2004 Order# 4 Exhibit C-1 Complaint Part 1# 5 Exhibit C-2 Complaint Part 2# 6 Exhibit C-3 Complaint Part 3# 7 Exhibit C-4 Complaint Part 4# 8 Exhibit D# 9 Exhibit E)(Olthoff, Mark) (Entered: 04/27/2007)
05/03/2007	25	MOTION to Strike 22 MOTION to Dismiss by Plaintiff Samuel K. Lipari (mm) (Entered: 05/04/2007)
05/03/2007	26	CERTIFICATE OF SERVICE of discovery by Samuel K. Lipari (mm) (Entered: 05/04/2007)
05/04/2007	27	CERTIFICATE OF SERVICE of Rule 26(a) Disclosures by US Bancorp N A, US Bank NA. (Olthoff, Mark) (Entered: 05/04/2007)

05/07/2007	28	MOTION to Stay Entry of Schedule, Stay Discovery and for Protective Order by Defendants US Bancorp N A, US Bank NA. (Olthoff, Mark) (Motion title modified on 5/8/2007. (mg)) (Entered: 05/07/2007)
05/10/2007	29	ENTRY OF APPEARANCE by Jay E. Heidrick on behalf of US Bancorp N A, US Bank NA. (Heidrick, Jay) (Entered: 05/10/2007)
05/17/2007	30	MEMORANDUM in Opposition by Defendants US Bancorp N A, US Bank NA re 25 MOTION to Strike 22 MOTION to Dismiss (Olthoff, Mark) (Entered: 05/17/2007)
05/24/2007	31	ORDER granting 28 Motion to Stay Discovery. All pretrial and Rule 26 proceedings, including the planning conference, scheduling conference, Rule 26(a)(1) disclosures, and discovery, are hereby stayed until the Court has ruled on Defendants' pending Motion to Dismiss (doc. 22). Signed by Magistrate Judge David J. Waxse on 5/24/2007. (bh) (Entered: 05/24/2007)
05/29/2007	32	REPLY Memorandum in support of 25 MOTION to Strike 22 MOTION to Dismiss by Plaintiff Samuel K. Lipari(yh,) (Entered: 05/31/2007)
05/29/2007	33	OBJECTION(S) to Discovery under Rule 72.1.4 by Samuel K. Lipari. (yh,) (Entered: 05/31/2007)
06/08/2007	34	RESPONSE to 33 Objection(s) by Defendants US Bancorp N A, US Bank NA. (Olthoff, Mark) (Entered: 06/08/2007)
08/20/2007	35	ORDER denying 25 Motion to Strike. Plaintiff has twenty-three days to file a response to 22 MOTION to Dismiss. Signed by Judge Carlos Murguia on 8/20/2007. (js) (Entered: 08/20/2007)
09/11/2007	36	ENTRY OF APPEARANCE by Ira Dennis Hawver on behalf of Samuel K. Lipari. (Hawver, Ira) (Entered: 09/11/2007)
09/11/2007	37	RESPONSE by Plaintiff Samuel K. Lipari re 22 MOTION to Dismiss (Hawver, Ira) (Entered: 09/11/2007)
10/03/2007	38	REPLY to Response to Motion by Defendants US Bancorp N A, US Bank NA re: 22 MOTION to Dismiss (Heidrick, Jay) (Entered: 10/03/2007)
11/16/2007	39	ORDER granting in part and denying in part 22 Motion to Dismiss. Signed by Judge Carlos Murguia on 11/16/07. (js) (Entered: 11/16/2007)
11/27/2007	40	RESPONSE by Plaintiff Samuel K. Lipari re 39 Order on Motion to Dismiss (Hawver, Ira) (Entered: 11/27/2007)

11/30/2007	41	ORDER SETTING SCHEDULING CONFERENCE: Telephone Scheduling Conference set for 1/11/2008 at 03:00 PM before Magistrate Judge David J. Waxse. Report of Parties Planning Meeting deadline 1/4/2008. Signed by Magistrate Judge David J. Waxse on 11/30/07. (ll) (Entered: 11/30/2007)
12/06/2007	42	RESPONSE to 40 Response to Order by Defendants US Bancorp N A, US Bank NA. (Heidrick, Jay) (Entered: 12/06/2007)
12/19/2007	43	MOTION to Dismiss Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure by Defendants US Bancorp N A, US Bank NA. (Heidrick, Jay) (Entered: 12/19/2007)
12/19/2007	44	MEMORANDUM IN SUPPORT of 43 MOTION to Dismiss Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure by Defendants US Bancorp N A, US Bank NA. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B)(Heidrick, Jay) (Entered: 12/19/2007)
12/27/2007	45	MOTION to Withdraw as Attorney by Plaintiff Samuel K. Lipari. (Attachments: # 1 Exhibit Proposed Order, # 2 Exhibit Acknowledgement of Plaintiff)(Hawver, Ira) (Entered: 12/27/2007)
12/28/2007	46	MOTION for Extension of Time to File Response as to 43 MOTION to Dismiss Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure, 44 Memorandum in Support of Motion, by Plaintiff Samuel K. Lipari(Hawver, Ira) (Entered: 12/28/2007)
12/31/2007	47	RESPONSE by Defendants US Bancorp N A, US Bank NA re 45 MOTION to Withdraw as Attorney <i>Defendants' Response to the Motion for Leave to Withdraw as Counsel Filed by Dennis Hawver</i> (Olthoff, Mark) (Entered: 12/31/2007)
12/31/2007	48	RESPONSE by Defendants US Bancorp N A, US Bank NA re 46 MOTION for Extension of Time to File Response as to 43 MOTION to Dismiss Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure, 44 Memorandum in Support of Motion, (Heidrick, Jay) (Entered: 12/31/2007)
01/02/2008	49	ORDER granting 45 Motion to Withdraw as Attorney. Attorney Ira Dennis Hawver terminated as attorney for plaintiff Samuel K. Lipari. Signed by Magistrate Judge David J. Waxse on 1/2/08. (mh) (Entered: 01/02/2008)
01/11/2008		MINUTE ENTRY for Telephone Scheduling Conference held before Magistrate Judge David J. Waxse on 1/11/2008. Written Scheduling Order to follow. (This is a TEXT ENTRY ONLY.

		There is no.pdf document associated with this entry.) (ll) (Entered: 01/11/2008)
01/14/2008	50	SCHEDULING ORDER: Estimated trial time 15-20 days. Jury Trial set for 3/2/2009 at 01:30 PM before District Judge Carlos Murguia. Discovery deadline 7/1/2008. Dispositive motion deadline 8/15/2008. Final Pretrial Conference set for 7/30/2008 at 10:00 AM before District Magistrate Judge David J. Waxse. Proposed Pretrial Order due by 7/23/2008. SEE ORDER FOR FURTHER DEADLINES. Signed by Magistrate Judge David J. Waxse on 1/14/08. (mh) (Entered: 01/14/2008)
01/24/2008	51	ORDER granting in part and denying in part 46 Motion for Extension of Time to File Response/Reply re 43 MOTION to Dismiss <i>Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure</i> . Response deadline 2/1/2008. Signed by District Judge Carlos Murguia on 1/24/08.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (js) (Entered: 01/24/2008)
01/31/2008	52	RESPONSE by Plaintiff Samuel K. Lipari re 43 MOTION to Dismiss <i>Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure</i> (yh) (Entered: 02/01/2008)
02/13/2008	53	NOTICE OF SERVICE by Samuel K. Lipari of discovery document and production request (yh) (Entered: 02/14/2008)
02/21/2008	54	REPLY to Response to Motion by Defendants US Bancorp N A, US Bank NA re: 43 MOTION to Dismiss <i>Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure</i> <i>REPLY MEMORANDUM IN SUPPORT OF MOTION TO DISMISS</i> (Olthoff, Mark) (Entered: 02/21/2008)
03/03/2008	55	MOTION for extension of time to file supplemental Rule 26 disclosures by Plaintiff Samuel K. Lipari(yh) (Entered: 03/03/2008)
03/05/2008	56	RESPONSE by Defendants US Bancorp N A, US Bank NA re 55 MOTION for extension of time (Attachments: # 1 Exhibit A)(Heidrick, Jay) (Entered: 03/05/2008)
03/11/2008	57	NOTICE OF SERVICE by US Bancorp N A, US Bank NA of Defendants' First Interrogatories and First Request for Production (Heidrick, Jay) (Entered: 03/11/2008)
03/17/2008	58	ORDER finding as moot 55 Motion for Extension of Time to File. Plaintiff's request for an extension of time to serve his supplemental disclosures until 4/15/2008 is unnecessary as Para. 2.h of the Scheduling Order provides that supplemental

		disclosures are to be served 40 days before the deadline for completion of discovery. The deadline for completion of discovery is 7/1/2008; therefore, the deadline for serving supplemental disclosures is 5/21/2008. Entered by Magistrate Judge James P. O'Hara on 3/17/08. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (mh) (Entered: 03/17/2008)
03/17/2008	59	MOTION for Protective Order <i>relating to Plaintiff's First Requests for Production</i> by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) (Entered: 03/17/2008)
03/17/2008	60	MEMORANDUM IN SUPPORT of 59 MOTION for Protective Order <i>relating to Plaintiff's First Requests for Production</i> by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) (Entered: 03/17/2008)
03/17/2008	61	INDEX OF EXHIBITS by Defendants US Bancorp N A, US Bank NA re 59 MOTION for Protective Order <i>relating to Plaintiff's First Requests for Production</i> (Attachments: # 1 Exhibit A- Plaintiff's Requests for Production, # 2 Exhibit B- Good faith efforts to resolve dispute)(Heidrick, Jay) (Entered: 03/17/2008)
03/17/2008	62	NOTICE OF SERVICE by US Bancorp N A, US Bank NA of Discovery (Heidrick, Jay) (Entered: 03/17/2008)
03/26/2008	63	MOTION for Leave to Amend Complaint (Petition) re 1 Notice of Removal by Plaintiff Samuel K. Lipari(yh) (Entered: 03/27/2008)
03/27/2008	64	NOTICE of Supplemental Authority by Samuel K. Lipari (yh) (Entered: 03/27/2008)
03/27/2008	65	RESPONSE by Plaintiff Samuel K. Lipari re 59 MOTION for Protective Order <i>relating to Plaintiff's First Requests for Production</i> (Attachments: # 1 Exhibit 1-Letter, # 2 Exhibit 2-Settlement Brief)(yh) (Entered: 03/27/2008)
04/04/2008	66	ORDER denying without prejudice 63 Motion for Leave to Amend Complaint. Signed by Magistrate Judge David J. Waxse on 4/4/2008.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (bh) (Entered: 04/04/2008)
04/10/2008	67	REPLY to Response to Motion by Defendants US Bancorp N A, US Bank NA re: 59 MOTION for Protective Order <i>relating to Plaintiff's First Requests for Production</i> (Heidrick, Jay) (Entered: 04/10/2008)

04/22/2008	68	MOTION to Compel <i>Plaintiff's Compliance with Rule 26(a)</i> by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) (Entered: 04/22/2008)
04/22/2008	69	INDEX OF EXHIBITS by Defendants US Bancorp N A, US Bank NA re 68 MOTION to Compel <i>Plaintiff's Compliance with Rule 26(a)</i> (Attachments: # 1 Exhibit 1 to Motion)(Heidrick, Jay) (Entered: 04/22/2008)
04/22/2008	70	MEMORANDUM IN SUPPORT of 68 MOTION to Compel <i>Plaintiff's Compliance with Rule 26(a)</i> by Defendants US Bancorp N A, US Bank NA (Attachments: # 1 Exhibit Index to Memorandum of Law, # 2 Exhibit A to Memorandum, # 3 Exhibit B to Memorandum)(Heidrick, Jay) (Entered: 04/22/2008)
04/30/2008	71	NOTICE OF SERVICE by Samuel K. Lipari of Deposition and Duces Tecum Request (yh) (Entered: 05/01/2008)
04/30/2008	72	NOTICE OF SERVICE by Samuel K. Lipari of Rule 26 Supplemental Disclosures (yh) (Entered: 05/01/2008)
04/30/2008	73	NOTICE OF SERVICE by Samuel K. Lipari of Answers to defendant's First Set of Interrogatories (yh) (Entered: 05/01/2008)
04/30/2008	74	MOTION for time to extend discovery by Plaintiff Samuel K. Lipari.(yh) (Entered: 05/01/2008)
04/30/2008	75	MEMORANDUM in Opposition by Plaintiff Samuel K. Lipari re 68 MOTION to Compel <i>Plaintiff's Compliance with Rule 26(a)</i> (Attachments: # 1 Exhibit 1 MSC Amended Complaint, # 2 Exhibit 2 Motion for Hearing, # 3 Exhibit 3 Response to Hearing Motion, # 4 Exhibit 4 Appellant Brief, # 5 Exhibit 5 MSC v Neoforma, # 6 Exhibit 6 MSC Motion to Consolidate)(yh) (Entered: 05/01/2008)
05/09/2008	76	NOTICE by Defendants US Bancorp N A, US Bank NA of taking deposition of Samuel Lipari on May 28, 2008 (Heidrick, Jay) (Entered: 05/09/2008)
05/14/2008	77	SECOND NOTICE of Supplemental Authority by Samuel K. Lipari (yh) (Entered: 05/14/2008)
05/15/2008	78	RESPONSE by Defendants US Bancorp N A, US Bank NA re 74 MOTION for extension of time (Heidrick, Jay) (Entered: 05/15/2008)
05/15/2008	79	REPLY to Response to Motion by Defendants US Bancorp N A, US Bank NA re: 68 MOTION to Compel <i>Plaintiff's Compliance with Rule 26(a)</i> (Attachments: # 1 Exhibit A- Supplemental

		Disclosures)(Heidrick, Jay) (Entered: 05/15/2008)
05/16/2008	80	MOTION for Protective Order against deposition by Plaintiff Samuel K. Lipari(yh) (Entered: 05/16/2008)
05/16/2008	81	Initial Witness & Exhibit List by US Bancorp N A, US Bank NA.(Heidrick, Jay) (Entered: 05/16/2008)
05/19/2008	82	MOTION for Protective Order <i>for Plaintiff's Notice of Deposition Duces Tecum</i> by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) (Entered: 05/19/2008)
05/19/2008	83	MEMORANDUM IN SUPPORT of 82 MOTION for Protective Order <i>for Plaintiff's Notice of Deposition Duces Tecum</i> by Defendants US Bancorp N A, US Bank NA (Attachments: # 1 Exhibit A- Letter to Lipari)(Heidrick, Jay) (Entered: 05/19/2008)
05/20/2008	84	AMENDED DOCUMENT by US Bancorp N A, US Bank NA. Amendment to 83 Memorandum in Support of Motion, 82 MOTION for Protective Order <i>for Plaintiff's Notice of Deposition Duces Tecum</i> . (Heidrick, Jay) (Entered: 05/20/2008)
05/22/2008	85	MOTION to Compel <i>Discovery Responses</i> by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) (Entered: 05/22/2008)
05/22/2008	86	MEMORANDUM IN SUPPORT of 85 MOTION to Compel <i>Discovery Responses</i> by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) (Entered: 05/22/2008)
05/22/2008	87	INDEX OF EXHIBITS by Defendants US Bancorp N A, US Bank NA re 85 MOTION to Compel <i>Discovery Responses and Memorandum in Support</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Heidrick, Jay) (Entered: 05/22/2008)
05/30/2008	88	RESPONSE by Defendants US Bancorp N A, US Bank NA re 80 MOTION for Protective Order <i>against Deposition</i> (Heidrick, Jay) (Entered: 05/30/2008)
05/30/2008	89	Opposition by Plaintiff Samuel K. Lipari re 82 MOTION for Protective Order <i>for Plaintiff's Notice of Deposition Duces Tecum</i> (yh) (Entered: 06/02/2008)
06/03/2008	90	ORDER denying 74 Motion for Extension of Time. Plaintiff's motion to extend discovery until 10/1/08 is denied for failure to show the requisite good cause for amending the scheduling order. Entered by Magistrate Judge David J. Waxse on 6/3/08. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (mh) (Entered: 06/03/2008)

06/05/2008	91	NOTICE OF SERVICE by Samuel K. Lipari of Second Rule 26 Supplemental Disclosures (yh) (Entered: 06/06/2008)
06/12/2008	93	NOTICE of unavailability by Samuel K. Lipari (mm) (Entered: 06/13/2008)
06/12/2008	94	Objection to Order of Magistrate Judge re 90 Order on Motion for Extension of Time by Plaintiff Samuel K. Lipari(mm) (Entered: 06/13/2008)
06/13/2008	92	REPLY to Response to Motion by Defendants US Bancorp N A, US Bank NA re: 82 MOTION for Protective Order <i>for Plaintiff's Notice of Deposition Duces Tecum</i> (Heidrick, Jay) (Entered: 06/13/2008)
06/19/2008	95	RESPONSE by Defendants US Bancorp N A, US Bank NA re 94 Objection to Order of Magistrate Judge re 90 Order on Motion for Extension of Time, by Plaintiff Samuel K. Lipari (Heidrick, Jay) (Entered: 06/19/2008)
07/08/2008	96	MEMORANDUM AND ORDER granting 85 Motion to Compel. Plaintiff shall, within fourteen days of the date of this Order, produce all documents responsive to Defendants' First Set of Requests for Production and serve supplemental responses to Defendants' First Interrogatories No. 1, 3, 5-14, 16-17, and 21. Plaintiff shall, within twenty-one (21) days of the date of this Order, show cause in a pleading filed with the Court, why he should not be required to pay the reasonable fees and expenses that Defendants have incurred in making their Motion to Compel. Signed by Magistrate Judge David J. Waxse on 7/8/2008. (bh) (Entered: 07/08/2008)
07/10/2008	97	Objection to Order of Magistrate Judge re 96 Order on Motion to Compel,, by Plaintiff Samuel K. Lipari (Attachments: # 1 Exhibit Vol. I)(yh). (Entered: 07/11/2008)
07/10/2008	98	FURTHER EXHIBIT(S) IN SUPPORT of 96 Order on Motion to Compel,, 97 Objection to Order of Magistrate Judge re 96 Order on Motion to Compel,, by Plaintiff Samuel K. Lipari. (Attachments: # 1 Exhibit Vol. II part 2, # 2 Exhibit Vol. III, # 3 Exhibit Settlement Brief)(yh) (Entered: 07/11/2008)
07/11/2008	99	MEMORANDUM AND ORDER overruling 94 plaintiff's Objection to the Magistrate's Order Denying Extension of Discovery. Signed by District Judge Carlos Murguia on 7/11/2008. (jw) (Entered: 07/11/2008)
07/18/2008	100	MOTION to Alter OR Amend Judgment re 99 Memorandum and Order on Objection to Order of Magistrate Judge and MOTION

		to Stay Further Pretrial Proceedings (Response deadline 8/1/2008) by Plaintiff Samuel K. Lipari (Attachments: # 1 Exhibit 1; # 2 Exhibit 2)(ck) (Entered: 07/18/2008)
07/18/2008	101	MOTION to Amend Petition re 1 Notice of Removal by Plaintiff Samuel K. Lipari. (Attachments: # 1 Exhibit 1; # 2 Exhibit 2)(ck) (Entered: 07/18/2008)
07/18/2008	102	RESPONSE by Defendants US Bancorp N A, US Bank NA re 97 Objection to Order of Magistrate Judge re 96 Order on Motion to Compel by Plaintiff Samuel K. Lipari (Heidrick, Jay) (Entered: 07/18/2008)
07/18/2008	107	MOTION to Stay Discovery (This was originally filed with document 100 MOTION to Alter Judgment & MOTION to Stay Discovery but should have been entered as two separate motions) by Plaintiff Samuel K. Lipari.(mm) (Entered: 07/30/2008)
07/22/2008	103	MEMORANDUM AND ORDER granting in part and denying in part 68 Motion to Compel. On or before 7/30/2008, Plaintiff shall serve an amended Rule 26(a)(1)(A)(i) witness disclosure statement in compliance with this Memorandum and Order. On or before 7/30/2008, Plaintiff shall serve a supplemental Rule 26(a)(1)(A)(ii) document disclosure statement or serve amended Rule 26(a)(1)(A)(ii) document disclosures in compliance with this Memorandum and Order. On or before 8/13/2008, Plaintiff shall show cause why he should not be required to pay a portion of the reasonable fees and expenses that Defendants incurred in making their Motion to Compel. Signed by Magistrate Judge David J. Waxse on 7/22/2008. (bh) (Entered: 07/22/2008)
07/23/2008	104	Order Converting Pretrial Conference to Status Conference. On the Court's own motion, the Pretrial Conference scheduled for 7/30/2008 at 10:00 a.m. is converted to a telephone status conference, at which time the Court will take up Plaintiff's Motion to Stay (doc. 100). Entered by Magistrate Judge David J. Waxse on 7/23/08. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (mh) (Entered: 07/23/2008)
07/28/2008	105	MEMORANDUM AND ORDER denying 101 Motion to Amend Complaint. Signed by Magistrate Judge David J. Waxse on 7/28/2008. (bh) (Entered: 07/28/2008)
07/28/2008	106	MEMORANDUM in Opposition by Defendants US Bancorp N A, US Bank NA re 100 MOTION to Alter Judgment MOTION to Stay Discovery re 99 Order on Objection to Order of Magistrate Judge MOTION to Stay Discovery re 99 Order on

		Objection to Order of Magistrate Judge (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Olthoff, Mark) (Entered: 07/28/2008)
07/31/2008	108	MINUTE ENTRY for proceedings held before Magistrate Judge David J. Waxse: Denying 107 Motion to Stay Discovery; Status Conference and Motion Hearing held on 7/30/2008 re 107 MOTION to Stay Discovery. Plaintiff appeared pro se. Defendants appeared through counsel Mark A. Olthoff. Plaintiff's Motion is denied for failure to establish good cause for staying the proceedings. The pretrial conference is rescheduled for 8/14/2008 at 2:30 p.m. The parties shall prepare a proposed joint pretrial order. Defendants shall submit the proposed pretrial order to the Magistrate Judge on or before 8/11/2008. The deadline for filing dispositive motions is continued to 8/22/2008. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (bh) (Entered: 07/31/2008)
08/07/2008	109	ORDER: The Telephone Pretrial Conference set for 8/14/2008 is hereby rescheduled for 8/28/2008 at 02:00 PM before Magistrate Judge David J. Waxse. Proposed Pretrial Order due by 8/21/2008. Dispositive motion deadline continued to 9/5/2008. Jury Trial continued to 4/6/2009 at 01:30 PM in Courtroom 463 (CM) before District Judge Carlos Murguia. Entered by Magistrate Judge David J. Waxse on 8/7/08. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (ll) (Entered: 08/07/2008)
08/11/2008	110	RESPONSE by Defendants US Bancorp N A, US Bank NA re 107 MOTION to Stay Discovery re 100 MOTION to Alter Judgment MOTION to Stay Discovery re 99 Order on Objection to Order of Magistrate Judge MOTION to Stay Discovery re 99 Order on Objection to Order of Magistrate Judge (Heidrick, Jay) (Entered: 08/11/2008)
08/18/2008	111	RESPONSE by Defendants US Bancorp N A, US Bank NA re 103 Order on Motion to Compel,, <i>Order to Plaintiff to Show Cause</i> (Heidrick, Jay) (Entered: 08/18/2008)
08/18/2008	112	ANSWER to defendant's Rule 59 110 Response to Motion by Plaintiff Samuel K. Lipari. (yh) (Entered: 08/18/2008)
08/18/2008	113	RESPONSE to defendant's assertion re: 111 Response to Order by Plaintiff Samuel K. Lipari. (yh) (Entered: 08/18/2008)
08/18/2008	114	NOTICE AND ORDER TO SHOW CAUSE. Signed by Magistrate Judge David J. Waxse on 8/18/08. (mh) (Entered: 08/18/2008)

08/18/2008		DOCKET ANNOTATION: Notice and Order to Show Cause 114 mailed to Samuel Lipari, 297 NE Bayview, Lee's Summit, MO 64064 by regular United States Mail and by certified mail, return receipt requested (receipt # 70022030000122080760) on 8/18/08. (mh) (Entered: 08/18/2008)
08/18/2008	115	ORDER directing plaintiff to pay fees in connection with defendants' motion to compel 68 and pursuant to the court's direction in doc. 103. Signed by Magistrate Judge David J. Waxse on 8/18/08. (mh) (Entered: 08/18/2008)
08/18/2008		DOCKET ANNOTATION: Doc. 115 mailed to Samuel Lipari, 297 NE Bayview, Lee's Summit, MO 64064, by regular United States mail and by certified mail, return receipt requested (receipt # 70022030000122080777), on 8/18/08. (mh) (Entered: 08/18/2008)
08/18/2008	116	AFFIDAVIT of prejudice by Samuel K. Lipari. (yh) (Entered: 08/19/2008)
08/20/2008	117	ORDER regarding 114 Notice and Order to Show Cause. The Court has reviewed Plaintiff's reply (doc. 113) to Defendants' response (doc. 111) regarding Plaintiff's asserted noncompliance with the Court's 7/22/08 Order (doc. 103). Plaintiff's filing of the reply does not relieve Plaintiff of the obligation to respond to the Order to Show Cause. Plaintiff shall file his response to the Order to Show Cause on or before 8/27/08. Entered by Magistrate Judge David J. Waxse on 8/20/08. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (mh) (Entered: 08/20/2008)
08/20/2008	118	MOTION for Order to Show Cause by Defendants US Bancorp N A, US Bank NA (Attachments: # 1 Exhibit A)(Heidrick, Jay) (Entered: 08/20/2008)
08/22/2008	119	CERTIFIED MAIL RECEIPT returned regarding 114 Order, and 115 Order, addressed to Samuel Lipari. (mg) (Entered: 08/25/2008)
08/22/2008	122	OBJECTION to Order of Magistrate Judge re Order 115 by Plaintiff Samuel K. Lipari. (mm) (Entered: 08/25/2008)
08/22/2008	123	Objection to Order of Magistrate Judge re Order 117 by Plaintiff Samuel K. Lipari (Attachments: #(1) Exhibit 1, (2) Exhibit 1A, (3) Exhibit 1B, (4) Exhibit 1C-1, (5) Exhibit 1C-2, (6) Exhibit 1D, (7) Exhibit 2-1, (8) Exhibit 2-2, (9) Exhibit 2 Letter, (10) Exhibit 3, (11) Exhibit 4, (12) Exhibit 5, # 13 Exhibit 6, (14) Exhibit 7, (15) Exhibit 8, (16) Exhibit 9)(mm) (Entered: 08/25/2008)

		08/25/2008)
08/25/2008	120	SECOND NOTICE AND ORDER TO SHOW CAUSE. Defendants' Motion for Order to Show Cause 118 is granted. Plaintiff Samuel K. Lipari is required to show cause to United States District Judge Carlos Murguia, in a pleading filed by 9/8/08, why this case should not be dismissed with prejudice, or other sanctions imposed, pursuant to Federal Rule of Civil Procedure 37(b)(2)(A) for failure to comply with the Courts 7/8/08 Order (doc. 96), and/or pursuant to Federal Rules of Civil Procedure 16(f) and 37(b)(2)(A) for failure to participate in the preparation of a joint proposed pretrial order. Signed by Magistrate Judge David J. Waxse on 8/25/08. (mh) (Entered: 08/25/2008)
08/25/2008	121	ORDER continuing pretrial conference. In light of the Court's recent show cause orders, the Court, on its own motion, continues the 8/28/08 telephone pretrial conference to 10/28/08 at 11:00 a.m. before Magistrate Judge David J. Waxse. Defendants shall submit the parties' joint proposed pretrial order to the Magistrate Judge by 10/21/08. Entered by Magistrate Judge David J. Waxse on 8/25/08. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (mh) (Entered: 08/25/2008)
08/25/2008		DOCKET ANNOTATION: Doc. 120 mailed to plaintiff Samuel K. Lipari, 297 NE Bayview, Lee's Summit, MO 64064, by regular United States mail and by certified mail, return receipt requested (certified receipt # 70022030000122080647). (mh) (Entered: 08/25/2008)
08/25/2008	124	NOTICE of filing motion to remand appeal by Samuel K. Lipari (mm) (Entered: 08/25/2008)
08/27/2008	125	NOTICE of Filing Order Denying Motion to Remand Appeal by US Bancorp N A, US Bank NA (Attachments: # 1 Exhibit Order)(Olthoff, Mark) (Entered: 08/27/2008)
08/27/2008	126	SEALED MOTION for Leave to File Under Seal by Defendants US Bancorp N A, US Bank NA (Attachments: # 1 Exhibit A-Redacted Billings)(Heidrick, Jay) (Entered: 08/27/2008)
08/27/2008	127	AFFIDAVIT of Attorney Fees re 115 Order by US Bancorp N A, US Bank NA. (Heidrick, Jay) (Entered: 08/27/2008)
08/27/2008	128	AFFIDAVIT regarding attorney fees by Defendants US Bancorp N A, US Bank NA(Heidrick, Jay) Modified on 9/2/2008 to correct title of pleading (yh). (Entered: 08/27/2008)

08/28/2008	129	ORDER REFERRING MOTION to Magistrate Judge David J. Waxse re 128 MOTION for Attorney Fees <i>in Support of Affidavit of Attorney Fees, Doc. No. 127</i> filed by US Bancorp N A, US Bank NA. Signed by District Judge Carlos Murguia on 8/28/2008. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (jw) (Entered: 08/28/2008)
08/28/2008	130	CERTIFIED MAIL RECEIPT returned regarding 120 Order addressed to Samuel K. Lipari. (mg) (Entered: 08/29/2008)
09/02/2008	131	ORDER REFERRING MOTION to Magistrate Judge David J. Waxse re 126 SEALED MOTION for Leave to File Under Seal filed by US Bancorp N A, US Bank NA. Signed by District Judge Carlos Murguia on 9/2/2008. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (jw) (Entered: 09/02/2008)
09/02/2008	132	ORDER granting 126 Motion for Leave to File Under Seal. Defendants are directed to file forthwith the requested document(s) with an event from the SEALED DOCUMENTS category. In addition, Defendants shall serve a copy of the sealed document(s) on Plaintiff. The Clerk shall grant electronic access to sealed document(s) to counsel of record. Pro hac vice attorneys must obtain sealed document(s) from local counsel. Signed by Magistrate Judge David J. Waxse on 9/2/2008.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (bh) (Entered: 09/02/2008)
09/02/2008	133	ORDER setting new dispositive motion deadline. In light of the Court's recent Show Cause Orders and the continuance of the Pretrial Conference, the Court, on its own motion, extends the deadline for filing dispositive motions to 11/17/2008. Entered by Magistrate Judge David J. Waxse on 9/2/08.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (mh) (Entered: 09/02/2008)
09/02/2008	134	RESPONSE to 120 Order on Motion for Order to Show Cause,, by Plaintiff Samuel K. Lipari. (Attachments: # 1 Exhibit Answer to Order to Show Cause, # 2 Exhibit 1 Notice of Appeal, # 3 Exhibit 2 Notice of Removal, # 4 Exhibit 3 Motion to remand, # 5 Exhibit 4 Reply, # 6 Exhibit Affidavit of prejudice, # 7 Exhibit 6 Objection to Magistrate Order, # 8 Exhibit 7 Tenth Circuit Notice, # 9 Exhibit 7 Plaintiff's response, # 10 Exhibit 8 Unrelated Pretrial Order, # 11 Exhibit 9 Combined pretrial order, # 12 Exhibit 10 Plaintiff's production request, # 13 Exhibit 11 Plaintiff's response to OSC, # 14 Exhibit 12 Reply to demand, # 15 Exhibit 13 Reply to demand, # 16 Exhibit 14 Objection, # 17

		Exhibit 15 Letter to clerk, # 18 Exhibit 16 Order on motion to stay discovery, # 19 Exhibit 17 Report of parties' and planning, # 20 Exhibit 18 Response to Second Motion to Dismiss, # 21 Exhibit 19 Affidavit of Samuel K. Lipari)(yh) (Entered: 09/03/2008)
09/02/2008	136	AFFIDAVIT of Samuel K. Lipari in support of re 134 Response to Show Cause Order. Defendant has submitted exhibits in support of affidavit to the court that are to voluminous and will be maintained coventionally in the clerk's office. (3 boxes of exhibits).(mm) (Entered: 09/04/2008)
09/03/2008	135	RESPONSE to 123 Objection to Order of Magistrate Judge re 117 Order,, by Plaintiff Samuel K. LipariObjection to Order of Magistrate Judge re 117 Order,, by Plaintiff Samuel K. Lipari, 122 Objection to Order of Magistrate Judge re 115 Order by Plaintiff Samuel K. Lipari by Defendants US Bancorp N A, US Bank NA. (Heidrick, Jay) (Entered: 09/03/2008)
09/04/2008	137	MEMORANDUM AND ORDER granting in part and denying in part 43 Defendants' Motion to Dismiss Pursuant to Rule 12(b)(6) and Rule 8 of the Federal Rules of Civil Procedure. All claims except plaintiff's misappropriation of trade secrets claim pursuant to Mo. Rev. Stat. section 417.450 are hereby dismissed. Signed by District Judge Carlos Murguia on 9/4/2008. (jw) (Entered: 09/04/2008)
09/04/2008	138	DOCKET ANNOTATION: 137 Memorandum and Order on Motion to Dismiss, sent certified mail 7002 2030 0000 9349 8359 to Samuel K. Lipari, 297 NE Bayview, Lee's Summit, MO 64064. (jw) (Entered: 09/04/2008)
09/05/2008	139	MOTION for Leave to Amend Complaint (Petition) re 1 Notice of Removal by Plaintiff Samuel K. Lipari (Attachments: (1) Exhibit 1 (State Court Petition), (2) Exhibit Proposed Amended Petition)(mm) (Entered: 09/05/2008)
09/08/2008	140	SEALED EXHIBIT(S) of <i>billing records</i> re 127 Affidavit (Heidrick, Jay) (Entered: 09/08/2008)
09/09/2008	141	CERTIFIED MAIL RECEIPT returned re 137 Order on Motion to Dismiss, addressed to Samuel Lipari. (jw) (Entered: 09/09/2008)
09/13/2008	142	RESPONSE by Defendants US Bancorp N A, US Bank NA re 139 MOTION for Leave to Amend Complaint re 1 Notice of Removal (Heidrick, Jay) (Entered: 09/13/2008)