

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

SAMUEL K. LIPARI,)	
)	
Appellant,)	
)	
v.)	Case No. 08-3115
)	
GENERAL ELECTRIC COMPANY, et al.,)	
)	
Appellees.)	

MOTION FOR EXTENSION OF TIME TO FILE APPELLEES’ BRIEFS

COMES NOW Appellees General Electric Company, General Electric Capital Business Asset Funding Corporation, GE Transportation Systems Global Signaling, LLC, Jeffrey Immelt, Heartland Financial Group, Inc., Christopher McDaniel and Stuart Foster (collectively, “Appellees”) by and through their attorneys of record, and respectfully move that this Court issue an Order granting them an additional fourteen (14) days, up to and including January 26, 2009 in which to file their Appellees’ Briefs. In Support of this Motion, Appellees state as follows:

1. Appellees were served with Appellant’s Brief on December 15, 2008.
2. Pursuant to the Court’s electronic docketing system, the Appellees’ Briefs are presently due on January 12, 2009.
3. Appellees have requested no prior extension of time.
4. This extension will not prejudice Appellant or cause undue delay of the appeal process.
5. The extension of time is sought for good cause and not for purposes of vexation or delay, and specifically because Appellant has submitted a lengthy brief, as well as three (3) volumes of supplemental appendices which totals more than 1100 pages.

6. In addition to the lengthy submissions of the Appellant, the holiday season and the press of other business require the Appellees to seek the requested extension of time.

7. Pursuant to Rule 27B(a)(2) of the Rules of Appellate Procedure for the United States Court of Appeals of the Eighth Circuit, the Clerk has the discretion to enter this procedural order on behalf of the Court.

WHEREFORE, for the above reasons, Appellees General Electric Company, General Electric Capital Business Asset Funding Corporation, GE Transportation Systems Global Signaling, LLC, Jeffrey Immelt, Heartland Financial Group, Inc., Christopher McDaniel and Stuart Foster respectfully request that this Court grant an extension of time, up to and including January 26, 2009, in which to file their Appellees' Briefs.

HUSCH BLACKWELL SANDERS LLP

By: /s/ Michael S. Hargens
John K. Power #35312
Michael S. Hargens #51077
1200 Main Street, Suite 2300
Kansas City, MO 64105
Telephone: (816) 421-4800
Facsimile: (816) 421-0596
john.power@huschblackwell.com
Michael.hargens@huschblackwell.com

ATTORNEYS FOR APPELLEES GENERAL
ELECTRIC COMPANY, GENERAL ELECTRIC
CAPITAL BUSINESS ASSET FUNDING
CORPORATION, GE TRANSPORTATION
SYSTEMS GLOBAL SIGNALING, LLC, JEFFREY
IMMELT, HEARTLAND FINANCIAL GROUP,
INC., CHRISTOPHER MCDANIEL AND STUART
FOSTER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was forwarded this 6th day of January, 2009, by first class mail, postage prepaid to:

Samuel K. Lipari
297 NE Bayview
Lee's Summit, MO 64064

And an electronic copy was filed via the CM/ECF system which will send a notice of electronic filing to the following:

Nick Badgerow
Christine D. Higgins
Spencer Fane Britt & Browne LLP
9401 Indian Creek Parkway, Suite 700
Overland Park, KS 66210

Jeffrey P. Ray
Office of the United States Attorney
400 E. 9th Street
Room 5510
Kansas City, MO 64106

/s/ Michael S. Hargens