

IN THE CIRCUIT COURT OF JACKSON COUNTY  
AT KANSAS CITY

SAMUEL K. LIPARI, )  
(Statutory Trustee of Dissolved )  
Medical Supply Chain, Inc.) )  
 )  
Plaintiff, )  
 )  
v, ) Case No. 0616-CV07421  
 )  
GENERAL ELECTRIC COMPANY, et al., )  
 )  
Defendants. )

GENERAL ELECTRIC COMPANY,  
GENERAL ELECTRIC CAPITAL BUSINESS  
ASSET FUNDING CORPORATION AND  
GE TRANSPORTATION SYSTEMS GLOBAL SIGNALING, LLC'S  
MOTION TO DISMISS

Pursuant to Missouri Rules of Civil Procedure Rule 55.27 and 67.01, General Electric Company, General Electric Capital Business Asset Funding Corporation and GE Transportation Systems Global Signaling, LLC (collectively the "GE defendants") moves this Court for an order dismissing plaintiff's claim against them because pursuant to RS.Mo. § 351.476 plaintiff does not have the legal capacity to sue the GE defendants. Plaintiffs claim against the GE defendants should be dismissed for the additional reason that he has failed to state a claim upon which relief can be granted because he does not and cannot allege the required elements of his claim. The basis for the GE defendants' motion are more fully set forth in the GE defendants' accompanying suggestions in support of the motion, which is hereby incorporated herein.

HUSCH & EY



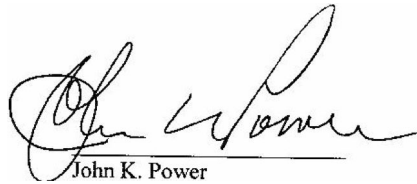
By: John K. Power, # 70448  
1200 Main Street, Suite 1700  
Kansas City, MO 64105  
Telephone: (816) 421-4800  
Facsimile: (816) 421-0596

ATTORNEYS FOR GENERAL ELECTRIC  
COMPANY, GENERAL ELECTRIC CAPITAL  
BUSINESS ASSET FUNDING CORPORATION  
AND GE TRANSPORTATION SYSTEMS  
GLOBAL SIGNALING, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 4th day of May, 2006, by first class mail, postage prepaid to:

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



John K. Power

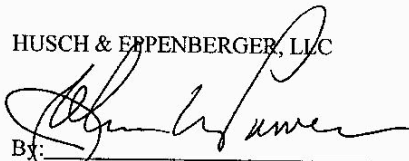
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HUSCH & EPPENBERGER, LLC



By: \_\_\_\_\_

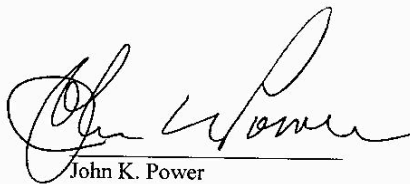
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