

IN THE CIRCUIT COURT OF JACKSON COUNTY  
AT KANSAS CITY

SAMUEL K. LIPARI, )  
 )  
 Plaintiff, )  
 )  
 v. ) Case No. 0916-CV38273  
 )  
 CHAPEL RIDGE MULTIFAMILY LLC, et al., )  
 )  
 Defendants. )

MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO  
PLAINTIFF'S FIRST AMENDED PETITION

Defendants General Electric Company, General Electric Capital Business Asset Funding Corporation, GE Transportation Systems Global Signaling, LLC and Jeffery Immelt (collectively, the "GE Defendants") move this Court for a seven (7) day extension of time to file their response to Plaintiffs First Amended Petition. In support of their motion, the GE Defendants state as follows:

1. Plaintiff filed his Petition on or about December 15, 2009. The GE Defendants were not named as defendants in the original Petition.
2. On or about January 20, 2010, Plaintiff filed his First Amended Petition which sought to add the GE Defendants as parties to this lawsuit.
3. Counsel for the GE Defendants became aware of the First Amended Petition after receiving an email from Plaintiff regarding the same.
4. On January 22, 2010, counsel for the GE Defendants, John Power, informed Plaintiff via email that he was authorized to accept service on behalf of the GE Defendants. Although Mr. Power requested that Plaintiff send him a hard copy of Plaintiffs First Amended Petition, it does not appear that this hard copy has been received.

5. Even if Plaintiff could argue that the GE Defendants have been properly served with the First Amended Petition, the GE Defendants' responsive pleading could be due no earlier than February 22,2010.

6. Thus, assuming *arguendo* that the GE Defendants' responsive pleading is due on February 22, 2010, the GE Defendants request a short seven (7) day extension of time to file their responsive pleading.

7. Counsel for the GE Defendants has reviewed the First Amended Petition, yet needs to conduct further investigation in order to properly frame the responsive pleadings.

8. This is the first request from the GE Defendants to extend the deadline for responding to Plaintiffs First Amended Petition.

9. This request for extension of time is not interposed for delay, but in order to give counsel adequate opportunity to investigate and prepare responsive pleadings.

10. A proposed order granting the GE Defendants' motion has been attached as Exhibit A.

WHEREFORE the GE Defendants move this Court for a seven (7) day extension of time, to and including March 1,2010, in which to answer or otherwise respond to Plaintiffs First Amended Petition.

Respectfully submitted,

HUSCH BLACKWELL SANDERS LLP

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JEFFREY IMMELT

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of February, 2010, a copy of the foregoing was sent to Plaintiff Samuel K. Lipari by e-mail and also served by U.S. Mail, postage prepaid, and properly addressed to the following:

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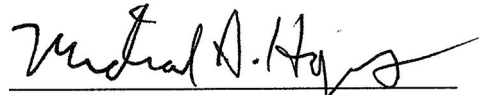
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Michael A. Harris

# Exhibit A

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AT KANSAS CITY

SAMUEL K. LIPARI, )  
 )  
 Plaintiff, )  
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 Defendants. )

ORDER

Upon review of General Electric Company's, General Electric Capital Business Asset Funding Corporation's, GE Transportation Systems Global Signaling, LLC's and Jeffery Imrnel's (collectively, the "GE Defendants") Motion for Extension of Time to File Response to Plaintiffs First Amended Petition, and for good cause shown, the motion is hereby GRANTED. It is hereby ORDERED that the time for filing the GE Defendants' responsive pleading to Plaintiffs First Amended Petition shall be extended to March 1, 2010.

Date: -----

Judge