

**IN THE STATE OF MISSOURI JACKSON COUNTY SIXTEENTH CIRCUIT COURT
AT INDEPENDENCE**

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

and

WACHOVIA DEALER SERVICES, INC.)
Plaintiff,)
v.) Case No. 0916-CV29828
SAMUEL K. LIPARI,)
Defendant,)

**SECOND PLAINTIFF'S MOTION FOR
INTERPLEADER UNDER MISSOURI CIVIL PROCEDURE RULE 52.07**

COMES NOW plaintiff/defendant Samuel K. Lipari appearing *pro se* and makes the following second motion for Interpleader under Missouri Rule 52.07.

1. The Western District of Missouri Court of Appeals sustained the plaintiff/appellant's dismissal of an appeal of *Samuel K. Lipari v. Chapel Ridge Multifamily LLC, et al* Case No. 0916-CV38273 upholding the statement of facts in the motion that appellate jurisdiction was lacking because not all parties and claims had been dismissed by the trial court's order labeled a judgment in Case No. 0916-CV38273.

2. The defendant/appellant WACHOVIA DEALER SERVICES, INC. did not oppose or otherwise contest the lack of dismissal of all parties and claims by the order in Case No. 0916-CV38273 asserted in three motions in the appeals court including the motion for dismissal.

3. Two of the Missouri licensed attorneys misconduct representing WACHOVIA DEALER SERVICES, INC. by refusing to accept service of process at their last address registered with the Missouri Supreme Court resulted in this outcome.

4. One of those attorneys who also witnessed his law firm's controlling partners commit the felonies that resulted in WACHOVIA DEALER SERVICES, INC. and their RICO 18 U.S.C. §§ 1961, *et*

seq. liability has now gone to work for the law firm representing WACHOVIA DEALER SERVICES, INC. and its parent the WELLS FARGO COMPANY for the purpose of being a witness in an effort seeking to limit joint and several liability money damages owed by WACHOVIA DEALER SERVICES, INC. for the RICO violations of the law firm representing it in the 16th Circuit.

5. The plaintiff/defendant incorporates by reference the statement of facts and suggestion of law contained in the plaintiff/defendant's Motion For Interpleader Under Missouri Civil Procedure Rule 52.07 dated May 28th, 2010.

Respectfully submitted,

S/ Samuel K. Lipari
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 17th day of August 2010 by hand delivery, by first class mail postage prepaid, or by email to:

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