

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

SAMUEL K. LIPARI)	
(Assignee of Dissolved)	
Medical Supply Chain, Inc.))	
<i>Plaintiff</i>)	
)	
vs.)	
)	
NOVATION, LLC)	Case No. 0816-cv-04217
NEOFORMA, INC.)	
GHX, LLC)	
ROBERT J. ZOLLARS)	
VOLUNTEER HOSPITAL ASSOCIATION)	
VHA MID-AMERICA, LLC)	
CURT NONOMAQUE)	
THOMAS F. SPINDLER)	Missouri Antitrust,
ROBERT H. BEZANSON)	Fraud,
GARY DUNCAN)	Tortious Interference,
MAYNARD OLIVERIUS)	Prima Facie Tort
SANDRA VAN TREASE)	
CHARLES V. ROBB)	
MICHEAL TERRY)	
UNIVERSITY HEALTHSYSTEM CONSORTIUM)	
ROBERT J. BAKER)	<u>Jury Trial Demanded</u>
JERRY A. GRUNDHOFER)	
RICHARD K. DAVIS)	
ANDREW CECERE)	
THE PIPER JAFFRAY COMPANIES)	
ANDREW S. DUFF)	
COX HEALTH CARE SERVICES OF THE OZARKS, INC.)	
SAINT LUKE'S HEALTH SYSTEM, INC.)	
STORMONT-VAIL HEALTHCARE, INC.)	
SHUGHART THOMSON & KILROY, P.C.)	
HUSCH BLACKWELL SANDERS LLP)	
LATHROP & GAGE L.C.)	
<i>Defendants.</i>)	

MOTION FOR RELIEF FROM JUDGMENT OR ORDER UNDER RSMO RULE 74.06

Comes now the plaintiff Samuel K. Lipari, appearing pro se and makes the following motion for relief from judgment or order for the purpose of correcting a clerical error or mistake. The plaintiff respectfully requests that the court designate the judgment on August 8, 2008 dismissing fewer than all the parties and claims with the words “there is no just reason for delay. “

Missouri Rule 74.01(a) defines “judgment” by listing a broad range of filings or entries by a judge that qualify as a judgment: “includes a decree and any order from which an appeal lies” id. Since the plaintiff’s petition stated “more than one claim for relief” and the petition states claims against “multiple parties” Missouri Rule 74.01(b) also applies. Under Rule 74.01(b) the court may enter a judgment as to one

or more but fewer than all of the claims or parties only upon an express determination that there is no just reason for delay.

The Missouri Supreme Court has declined to review the Western District of Missouri Court of Appeals determination that your order of August 8, 2008 dismissing fewer than all parties is not yet ripe for appeal. The plaintiff believes it will greatly aid the parties to have this decision reviewed without delay.

Respectfully submitted,

S/Samuel K. Lipari
Samuel K. Lipari
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816-365-1306
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Pro se

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this ___day of _____, 200_, by first class mail postage prepaid to:

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S/Samuel K. Lipari

Samuel K. Lipari