

**IN THE STATE OF MISSOURI  
JACKSON COUNTY DISTRICT COURT**

SAMUEL K. LIPARI	)	
(Assignee of Dissolved	)	
Medical Supply Chain, Inc.)	)	
<i>Plaintiff</i>	)	<b>Case No.</b>
	)	<b>0616-cv07421</b>
vs.	)	
	)	
GENERAL ELECTRIC COMPANY,	)	
GENERAL ELECTRIC CAPITAL	)	
BUSINESS ASSET FUNDING CORPORATION,	)	
GE TRANSPORTATION SYSTEMS	)	<b><u>Contract Action</u></b>
GLOBAL SIGNALING, L.L.C.	)	<b><u>Jury Requested</u></b>

**MOTION FOR LEAVE TO AMEND UNDER RMSO 55.33**

Comes now the petitioner, Samuel K. Lipari in his role as sole assignee of all interests of the dissolved Missouri Corporation Medical Supply Chain, Inc. where he was the founder and chief executive officer, appearing *pro se* and respectfully requests leave of the court to make the first amendment to his initial petition. This amendment is being made without the benefit of any discovery from the defendants in order to avoid prejudicing the opposing parties.

**STATEMENT OF FACTS**

1. The existing defendants were served notice on August 27, 2007 of the petitioner's intent to amend his complaint to include subsequent conduct by the General Electric defendants.
2. The existing defendants have not objected to amendment.
3. The defendants have not cooperated with discovery and have not produced a single document related to the petitioner's contract claims.
4. The petitioner has responded to each set of the defendants' interrogatories and production requests in good faith and without objection.
5. The petitioner has turned over all documents on which the proposed amended complaint is based.
6. The General Electric defendants' agents Sayfarth Shaw have obtained a federal court order requiring the petitioner to travel to Chicago, Illinois for deposition and appears to be designed to disrupt the resolution of the petitioner's contract based claims in this court by knowingly placing the petitioner in fear for his safety.

## SUPPORTING SUGGESTIONS

Missouri Rule of Civil Procedure 55.33 provides for the amending of pleadings. "Rule 55.33, which is the Rule which specifically addresses amended pleadings, does not require leave of court to add a new party." *Ron Merchant, by and through Sue Berry and Greg Katzing, v. James N. Hueser, M.D., et al.*, W. D. of Mo., Case No. 06-4079-CV-C-NKL.

Pursuant to Missouri Rule 55.33, this Court should grant leave for the petitioner to amend his original Petition in order to accurately reflect the subsequent conduct of the GE defendants related to the original contract dispute.

The attached Amended Petition will not prejudice any of the defendants as the allegations of the Amended Petition are the same as the original regarding the breach of contract claim and the rest of the claims are based on the defendants' intentional actionable conduct to prevent the petitioner from bringing his contract claims in this court.

Respectively submitted,

S/ Samuel K. Lipari

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Samuel K. Lipari  
Relator  
*Pro se*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 10th day of October, 2007, by first class mail postage prepaid to:

Leonard L. Wagner and John K. Power, Esq., Husch & Eppenberger, LLC 1700  
One Kansas City Place 1200 Main Street Kansas City, MO 64105-2122

S/ Samuel K. Lipari

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*Pro se*