

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

SAMUEL K. LIPARI)
(Assignee of Dissolved)
Medical Supply Chain, Inc.))
<i>Plaintiff</i>)
) Case No. 0816-cv-04217
vs.)
)
Novation,LLC <i>et al.</i> ,)
<i>Defendants</i>)

PLAINTIFF’S OPPOSITION TO MOTION FOR SECURITY COSTS

Comes now, the plaintiff Samuel K. Lipari appearing *pro se* and respectfully requests that the court deny the defendant Lathrop & Gage, L.C’s request for security costs on the basis that Lathrop & Gage, L.C. lacks clean hands having though criminal acts of fraud and extortion deprived the petitioner of counsel and having made fraudulent material misrepresentations in the very motion for security costs in order to commit fraud on this court and obtain relief or security that has no basis at law.

STATEMENT OF FACTS

1. Lathrop & Gage misrepresents to the court that the plaintiff’s litigation stems from a business venture, in fact the plaintiff is a hospital supply vendor and the acts of Lathrop & Gage in conspiracy with hospital supply monopolists identified in the petition continue to keep Lipari from serving hospitals in the relative market of the State of Missouri to maintain artificially inflated leading to the denial of care, death and loss of jobs for consumers in the market and monetary injuries to the plaintiff’s business, injuries suffered as recently November 13, 2008 the date of this answer.
2. William G. Beck (Mo. Lic. # 26849); Peter F. Daniel (Mo. Lic.# 33798); and J. Alison Auxter (Mo. Lic. # 59079) of Lathrop & Gage L.C. on November 6, 2008 fraudulently represent material aspects of Lipari’s complaint at page 2 of their motion for security to this court as limited to claims based on the petitioner’s formerly incorporated entity Medical Supply Chain, Inc. when in fact this complaint was filed after its dissolution and includes claims based on allegations of conduct **SUBSUQUENT** to the earlier litigation listed at page 1 of their motion for security costs where Lipari’s petition clearly states he is a sole proprietor of an unincorporated business and for claims expressly dismissed without prejudice where Lipari is the assignee of rights held by the dissolved corporation.

3. The petitioner has not been sanctioned in any court (sanctions against the petitioner are the subject of an appeal currently in the Tenth Circuit and styled *Medical Supply Chain, Inc. vs. Novation et al* Appeal (08-3187) -- the sanctions cited by Lathrop & Gage L.C. were expressly against the petitioner's counsel in the US District Court for the District of Kansas and the US Court of Appeals for the Tenth Circuit and expressly not against the petitioner.
4. The petitioner was injured and put to substantial unnecessary costs as were the defendants dismissed from this case by Lathrop & Gage L.C.'s extrajudicial communications as a nonparty to the Western District of Missouri Court of Appeals and which resulted in an attorney for the Western District of Missouri Court of Appeals making an "order" without support of authority or statute in the State of Missouri Rules of Appellate Procedure, these were not the costs imposed by the petitioner.
5. The petition describes in detail how Lathrop & Gage L.C. as a co-conspirator and through the direct actions of its principal Senator Vratil participated to deprive the petitioner of counsel through repeated acts of criminal fraud and extortion in the State of Kansas and as a consequence the petitioner has been deprived of the right to limit liability through the benefit of the laws of the State of Missouri by incorporating as other citizens and in detail how Lathrop & Gage L.C. is liable for this injury.
6. The November 6, 2008 motion for security costs filed by William G. Beck (Mo. Lic. # 26849); Peter F. Daniel (Mo. Lic.# 33798); and J. Alison Auxter (Mo. Lic. # 59079) as agents of Lathrop & Gage L.C. directly and expressly attempts to deprive the petitioner of property recognized under Missouri law as the property right of a chose in action because the petitioner is unrepresented by an attorney, a condition the complaint details Lathrop & Gage L.C. caused.
7. The petitioner's requests for production seek specific and limited records of events known by the petitioner to have been within the knowledge of Lathrop & Gage L.C. and which contradict William G. Beck (Mo. Lic. # 26849); Peter F. Daniel (Mo. Lic.# 33798); and J. Alison Auxter (Mo. Lic. # 59079) answer to the petition, as such all costs of discovery result from Lathrop & Gage L.C.'s materially false answer though its agents William G. Beck (Mo. Lic. # 26849); Peter F. Daniel (Mo. Lic.# 33798); and J. Alison Auxter (Mo. Lic. # 59079). See attached request for production, Exb. 1

SUGGESTION OF LAW

The petitioner is a proper plaintiff both as the assignee of the dissolved Missouri corporation Medical Supply Chain, Inc.'s claims and directly as an antitrust sole proprietor plaintiff (which are made against Lathrop & Gage L.C.) on claims based on subsequent conduct of the defendants and claims against later defendants for injury to the plaintiff's business property (also made against Lathrop & Gage L.C.).

The 16th Circuit State of Missouri Court has ruled denying dismissal of the petitioner's claims asserted pro se and assigned from the dissolved Medical Supply Chain, Inc., an argument General Electric raised in the motion to dismiss the petitioner's civil action *Samuel Lipari v. General Electric Company, et al.* 16th Cir Mo. Case no. 0616-CV07421. Missouri state courts have also declined to dismiss the petitioner's actions based on his standing as an assignee of the dissolved Medical Supply Chain, Inc.'s claims in *Ex Rel Samuel Lipari, v. Hon. Michael Manners* WD of Missouri Court of Appeals Case no. 68703, (Petition for Writ of Mandamus to require discovery be granted in *Samuel Lipari v. General Electric et al* 16th Cir Mo. Case no. 0616- CV32307) and *Ex Rel Samuel Lipari, v. Hon. Michael Manners* Mo. Sup. Ct. Case no. SC88756, (Petition for Writ of Mandamus to require discovery be granted in *Samuel Lipari v. General Electric et al* 16th Cir Mo. Case no. 0616- CV32307.)

The District of Kansas, applying Missouri state law also found that as a matter of law the petitioner had standing and the right to proceed *pro se*:

“A dissolved corporation retains the legal claims it had prior to dissolution. Even after dissolution, the corporation, not its shareholders or trustees, is the proper party to sue or be sued. *Cf. Mabin Constr. Co., Inc. v. Historic Constructors, Inc.*, 851 S.W.2d 98, 103 (Mo. Ct. App. 1993) (recognizing that Mo. Rev. Stat. § 351.476 precludes statutory trustees from being brought into suits against an administratively dissolved corporation). Thus, plaintiff cannot bring Medical Supply's claims as a shareholder.

Missouri law does, however, allow a dissolved corporation to assign its claims to a third-party. *See, e.g., Smith v. Taylor-Morley, Inc.*, 929 S.W.2d 918 (Mo. Ct. App. 1996) (upholding dissolved corporation's written assignment of rights to a purchase contract). The assignee may sue to recover damages for the dissolved corporation's claims. *Id.* (holding assignee of dissolved corporation's rights under a purchase contract could sue for injuries to dissolved corporation for breach of the purchase contract). Here, plaintiff alleges that he is the assignee of all rights and interests of Medical Supply, including the claims in this lawsuit. Accepting as true all material allegations of the complaint and construing the complaint in favor of plaintiff, the court finds that plaintiff has met his burden at this stage of the proceeding. Defendant's motion is denied with respect to standing.”

Lipari v. US Bancorp Inc. and US Bank NA, Case no. 07-cv-02146-CM. November 17, 2008.

The defendants Lathrop & Gage, L.C. advocacy of sanctioning the petitioner with a security deposit for sanctions not yet granted is as lawless as the dismissed defendants advocacy of dismissal based on mere interlocutory orders of courts in other jurisdictions which caused this court to participate in further

antitrust injury to citizens in Missouri and to the plaintiff still being excluded from the hospital supply market through granting dismissals contrary to both federal law and the State of Missouri's clearly established precedent on claim and issue preclusion regarding the effect of interim orders or decisions being appealed and before the end of the proceeding.

In addition to the absence of any statutory authority for this court to regulate the practice of law in the District of Kansas or the Tenth Circuit, the defendant Lathrop & Gage L.C. through its agents William G. Beck (Mo. Lic. # 26849); Peter F. Daniel (Mo. Lic.# 33798); and J. Alison Auxter (Mo. Lic. # 59079) have demonstrated their misconduct in the open fraud on the court in the motion seeking security costs. The first antitrust acts proven before this court.

CONCLUSION

Whereas for the above, the petitioner Samuel K. Lipari respectfully requests this court deny the defendant Lathrop & Gage L.C.'s request for a security deposit or any other form of costs in advance of a resolution of this matter on the merits.

Respectfully submitted

S/Samuel K. Lipari
Samuel K. Lipari
3520 NE Akin Apt. 918
Lee's Summit, MO 64064
816-365-1306
saml@medicalsupplychain.com
Petitioner *pro se*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 13th day of November, 2008, via email to:

John K. Power, Esq. Husch Blackwell Sanders LLP, 1200 Main Street, Suite 2300
Kansas City , MO 64105

William G. Beck, Peter F. Daniel, J. Alison Auxter, Lathrop & Gage LC, 2345 Grand Boulevard, Suite 2800, Kansas City, MO 64108

S/Samuel K. Lipari

Samuel K. Lipari

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

SAMUEL K. LIPARI)
(Assignee of Dissolved)
Medical Supply Chain, Inc.)
Plaintiff)

vs.)

NOVATION, LLC)
NEOFORMA, INC.)
GHX, LLC)
ROBERT J. ZOLLARS)
VOLUNTEER HOSPITAL ASSOCIATION)
VHA MID-AMERICA, LLC)
CURT NONOMAQUE)
THOMAS F. SPINDLER)
ROBERT H. BEZANSON)
GARY DUNCAN)
MAYNARD OLIVERIUS)
SANDRA VAN TREASE)
CHARLES V. ROBB)
MICHEAL TERRY)
UNIVERSITY HEALTHSYSTEM CONSORTIUM)
ROBERT J. BAKER)
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.)
Defendants.)

Case No. 0816-cv-04217

**Missouri Antitrust,
Fraud,
Tortious Interference,
Prima Facie Tort**

Jury Trial Demanded

PROPOUNDING PARTY:

SAMUEL K. LIPARI

RESPONDING PARTY:

LATHROP & GAGE, L.C.

SET NUMBER:

00001

Pursuant to Missouri Rules of Civil Procedure Rule 56.01(a), Samuel K. Lipari submits the following requests for documents to LATHROP & GAGE, L.C. to produce on November 28th at 1:00pm at the residence of Samuel K. Lipari located at 3520 Aiken Blvd. Apt 918 Lee's Summit, MO 64064-7910, Lee's Summit, Missouri, 64064.

DEFINITIONS

1. The term "you" or "your" refers to Lathrop & Gage, L.C. and each of its affiliates, attorneys, law firms including Fish & Richardson P.C, Lathrop & Gage, L.C.'s professional services consultancy Kerma Partners, Lathrop & Gage, L.C.'s future successor in interest and , accountants, divisions, subdivisions, predecessors, directors, officers, employees, agents, representatives and all persons acting or purporting to act for or on behalf of Lathrop & Gage, L.C. and or any of Lathrop & Gage, L.C.'s clients while under the direction or participation of Lathrop & Gage, L.C.

2. The term "document" means any writing or recording as defined in Rule 1001 of the Federal Rules of Evidence, including any drafts, revisions and computer-readable material.

3. The term "persons" refers to natural persons, proprietorships, corporations, partnerships, trusts, joint venture groups, associations and organizations.

4. "Relating to" and "relates to" mean, without limitation, relating to, concerning, constituting, mentioning, referring to, describing, summarizing, evidencing, listing, relevant to, demonstrating, tending to prove or disprove, or explain.

5. "Correspondence" means any letter, memorandum or other writing in electronic, storage media or paper.

6. "Communication" or 'communications" includes, without limitation, in-person or telephone conversations, telegrams, telexes, email, tapes, or other sound recordings or means of transmitting information from one source to another and all documents related to specific communications including cell phone and land line call recordings and billing records including digital records and recordings.

7. The connectives "and" and "or" mean either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

8. The use of the singular includes the plural, and vice versa.

9. The use of one gender includes all others, appropriate I the context.

INSTRUCTIONS

1. The relevant time period of these requests is from January 1, 2002 to January October 22, 2008, unless otherwise specified and shall include all documents which relate or refer to this period even though prepared before or subsequent to that period.

2. The plaintiff seeks documents records and other information known to and possessed or controlled by the defendant corporation and its employees and agents. The knowledge of an agent of a corporation regarding matters within the agent's scope of employment and authority and to which his employment or authority extends is imputed to the corporate principal. *Packard Manufacturing Co. v. Indiana Lumbermens Mutual Insurance Co.*, 356 Mo. 687, 203 S.W.2d 415, 421 [7, 8] (Mo. banc 1947); *Eveready Heating and Sheet Metal, Inc., v. D.H. Overmyer, Inc.*, 476 S.W.2d 153, 155 (Mo.App.1972). A corporation is charged with the knowledge of its officers and agents even if the officers or agents do not communicate the knowledge. *Medicine Shoppe International, Inc. v. J-Pral Corp.*, 662 S.W.2d 263, 270 (Mo.App.1983). The controlling rule of this jurisdiction is:

“We observe that “[a] corporation can obtain knowledge only through its officers or agents and it is a well-established rule of agency that the knowledge of an agent of a corporation with reference to a matter within its scope of his authority and employment and to which his authority or

employment extends is imputed to the corporation." *Southwest Bank of Polk County v. Hughes*, 883 S.W.2d 518, 522 (Mo.App. 1994) (quoting *Packard Mfg. Co. v. Indiana Lumbermans Ins. Co.*, 203 S.W.2d 415, 421 (Mo. banc 1947)); *Iota Mgmt. Corp. v. Boulevard Inv. Co.*, 731 S.W.2d 399, 410 (Mo.App. 1987)."

Orion Security, Inc. v. Board of Police Commissioners, 2002 MO 1250 at ¶33 (MOWDCA, 2002)

3. If you object to furnishing any requested document on the ground of privilege, immunity, work product or otherwise, please provide a written statement in which you identify the specific ground on which your objection is based and the document objected to by furnishing its date, author, recipient, a general description of the subject matter of the document and the reason why the document is protected.

4. Notwithstanding your objection, you must disclose any objected to evidence containing nonobjectionable matter which is relevant, and material to the discovery requests, but you may withhold the portion for which you assert the objection, subject to further request or motion, provided that you furnish the above-requested identification.

5. If you later discover additional responsive documents, you are obligated to supplement your responses pursuant to Rule 56.01(e)(1), Rule 56.01(e)(2) or pursuant to any later imposed order of the court.

6. All documents created electronically or copied, archived or communicated electronically must be delivered to the plaintiff in electronic form as a digital document in a PC readable format on disk, CD or other digital storage medium for commercially available drives, this includes all documents created with word processor software.

7. If the original document's data or metadata concerning the document requires software other than that utilized by Microsoft Office, a copy of the software must be delivered with the data.

8. If any document is provided in paper format a log must be presented identifying the records custodian responsible for the document, their address and the persons knowledgeable of its chain of delivery who can testify that the document was not originated electronically, transmitted or stored in digital format by the GE defendants or their agents or law firms.

REQUESTS FOR PRODUCTION

A. Requests For Documents Related To Lathrop & Gage, L.C.'s Role in Missouri Healthcare Monopolization

1. The plaintiff requests all documents and records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge related to the retention of William B. Mateja and Fish & Richardson P.C. to provide legal representation of State of Missouri Governor Matt Blunt and Lathrop & Gage, L.C. during a criminal investigation by the US Department of Justice into public corruption through licensing office and management corporations set up by Lathrop & Gage, L.C. for the purpose of distributing patronage funds to State Republican Party and Republican National Committee members, including all correspondence between Joel Voran, Tom S. Stewart, Jim Fitter, Mark F. (Thor) Hearne II and Fish & Richardson P.C.; and all communications by William B. Mateja and or the preceding Lathrop & Gage, L.C. employees to employees of the US department of Justice including Bud Cummins, Todd Graves, Bradley J. Schlozman, and former Deputy Attorney General James B. Comey during the years 2004 thru October 22, 2008.

2. The plaintiff requests all documents and records of Lathrop & Gage, L.C. and its agent Fish & Richardson P.C.'s attorneys along with identification and addresses of persons with knowledge related to William B. Mateja's communications with or on the behalf of the defendants Neoforma, Inc., Novation

LLC, VHA, Inc. and the nondefendant health systems Tenet Healthcare Corporation, Blue Cross Blue Shield of Kansas while in William B. Mateja's role as a former Northern District of Texas AUSA in 1991 thru 2005 and subsequently as an employee of Fish & Richardson P.C. until October 4, 2008 including all correspondence and other communications with Deputy U.S. Attorney General Paul J. McNulty leading to the change in corporate fraud prosecution charging guidelines, the so called McNulty Memorandum of December 12, 2006, the Medicare debarment of Serono Labs parent Swiss corporation, Serono, S.A., over Serostim; and all communications related to Carol Lam and Todd Graves.

3. The plaintiff requests all documents and records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge related to creating entities, plans and contracting for Governor Matt Blunt's healthcare initiative that came to be known as Insure Missouri including all communications and advisory opinions related to the scheme and to withdrawing from or cutting Medicaid and State of Missouri funds to low income or socially disadvantaged Missouri citizens provided to Missouri officials including , Ed Martin, Patricia E. Vincent, Henry T. Herschel and State Representative Jeff Grisamore; all communications with the office of the US Department of Health and Human Services; HHS Secretary Mike Leavitt; Missouri Senator Kit Bond, former Missouri Senator Jim Talent, Kansas Governor Kathleen Sebelius, former Kansas Attorneys General Phil Kline and Jim Morrison, the defendants and the nondefendant Cerner and its CEO Neal Patterson; and Irvine O. Hockaday.

4. The plaintiff requests all communications, documents and records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning the Western District of Missouri Office of the US Attorney's investigation of CoxHealth, communications with US Rep. Sam Graves concerning CoxHealth, the US Grand Jury investigation and USA John Wood's Medicare Fraud settlement with CoxHealth including any and all communications with Cox CEO Robert Bezanson, former Cox CEO Larry Wallis and former Cox Chief Financial Officer Larry Pennel, former Cox employee David Tapp, and Cox corporate compliance officer Betty Breshears.

**B. Requests For Documents Related
Lathrop & Gage, L.C's Interference in the Plaintiff's Federal Antitrust Litigation**

5. The plaintiff requests all communications, documents and records of Lathrop & Gage, L.C. and its attorneys and agent Jeff Roe along with identification and addresses of persons with knowledge concerning communications and legal advice to The McClatchy Company (formerly Knight Ridder) newspapers including the Kansas City Star, Springfield News-Leader, The Wichita Eagle, the Lee's Summit Journal, The McClatchy Company employees Mark Zieman, Keith Chrostowski, Yael T. Abouhalkah, Steve Kraske and Tony Messenger and former employee Mac Tully; the Gatehouse Media (former Morris Communications) newspaper The Independence Examiner, its employees and former employee James Dornbrook; and the Morris Communications newspapers The Topeka Capital Journal and the Joplin Globe over, for the purpose of censoring stories on the plaintiff's litigation; the censoring of the plaintiff's letter to the editor of the Kansas City Star concerning the plaintiff's litigation experience in Kansas District Court and Senator Sam Brownback's support for Novation LLC; the censoring of the plaintiff's counsel's name from the article "Suit filed on retirement plans" authored by Gene Meyer and published on the cover of the Business Section of the Kansas City Star Published on 2005-12-02, Page C1; the censoring of the plaintiff's letter to the editor of the Kansas City Star concerning the plaintiff's litigation experience in Kansas District Court and Senator Sam Brownback's support for Novation LLC; the censoring of Kansas City Star reporter Grace Hobson in 2003, 2005 and 2006 investigations of Kansas Social and Rehabilitation Services criminal conduct brought to her attention by Janice Lynn King, Melinda Walmsley and David Martin Price; the censoring of US attorney firing and voter suppression stories by Greg Gordon of the McClatchy News Syndicate including "2006 Missouri's election was ground zero for GOP,"; and Tony Messenger's open records request concerning Governor Matt Blunt's office emails.

6. The plaintiff requests all communications, documents and records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning Lathrop & Gage, L.C. attorneys' communication with State of Kansas Judicial Branch Officials; US District Court of Kansas officials including the Hon. Judge Kathryn Vratil, Hon. Judge Carlos Murguia, the Hon. Magistrate Judge

James P. O'Hara, the Hon. Magistrate Judge David J. Waxse; the State of Kansas Justices Hon. Judge Kay McFarland, Hon. Judge Donald L. Allegrucci, Hon. Judge Lawton R. Nuss; Kansas Disciplinary Office attorneys Rex A. Sharp (concerning Rex A. Sharp's fraud on the 16th Circuit Missouri State Court in deceptively giving the appearance he would represent the plaintiff in order to obtain confidential information), Randall D. Grisell (concerning Randall D. Grisell's fraud on the Kansas Supreme Court in presenting a facially false report signed by Randall D. Grisell, Sally Harris, and Michael Schmitt to that court on the plaintiff's counsel to procure the disbarment through fraud), Kansas Bar examiner Kevin F. Mitchelson (over preventing the plaintiff's associate Donna Huffman from sitting for the bar and challenging Judy Jewsome's admission to the bar for her work as constituent services representative to Democrat US Rep. Nancy Boyda), former disciplinary attorney Scott J. Bloch; the disciplinary complaint filed against John Vratil for Lathrop & Gage, L.C.'s assistance to then Kansas Attorney General Phil Kline, correspondence and records of communications between John Vratil and Hon. Judge Donald L. Allegrucci and Hon. Judge G. Joseph Pierron related to the plaintiff's former counsel Bret D. Landrith, the plaintiff's witness David Martin Price and the appointment/reappointment of Andrew R. Ramirez.

7. The plaintiff requests all communications, documents and records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning Lathrop & Gage, L.C. attorneys' communications with Charlie Shields, Jeff Roe, James Harris, The Adam Smith Foundation over the recall of Missouri State judges; with Edward R. Martin, Jr. and Henry T. Herschel over the attempted interference in selection of Missouri State Judges Missouri between March 6, 2007 and October 20, 2008; the State of Missouri Disciplinary complaint filed against Scott Eckersley; the attorney discipline action against Edward R. Martin, Jr. for selective disclosure of emails subject to State of Missouri sunshine laws and the violation of attorney client confidentiality; attorney ethics violations of Tom S. Stewart in 2005-October 2008 concerning the period Tom S. Stewart was CEO of Lathrop & Gage, L.C.; the extrajudicial communications to officials of the Western District of Missouri Court of Appeals concerning the appeal of the dismissal of parties from this case; communications with members of the Missouri Board of Bar Governors including James C. Wirken about the plaintiff, former counsel and his associate Donna Huffman; and all communications with Gregory M. Bentz President of the Kansas City Metropolitan Bar Association and Thomas M. Burke of the Missouri Bar about the prevention of the plaintiff and his associate Dustin Sherwood from obtaining legal counsel in civil litigation, including the recruitment of Gary Collins (after Missouri Supreme Court Attorney Discipline Counsel mistake of thinking Gary Collins was the Kansas Bankruptcy Attorney Craig Collins, and called Gary Collins after discussing with Sherwood the inability to find representation) to meet with Dustin Sherwood in July 2008 under the false pretext Gary Collins was reconsidering his earlier denial of representation in order to corruptly elicit from Dustin Sherwood Sherwood's confidential legal strategy for defending his farm from Lathrop & Gage LC's illicit taking and for Gary Collins to relay Sherwood's confidences to US Trustee Janice Stanton and Lathrop & Gage LC's Brian T. Fenimore.

**C. Requests For Documents Related To
Lathrop & Gage, L.C.'s Role in Causing the firing of the US Attorneys for Arkansas and the
Western District of Missouri to obstruct the investigations of Lathrop & Gage, L.C.'s fee office
companies, Governor Matt Blunt and the Medicare Fraud of CoxHealth**

8. The plaintiff requests all communications, documents, consultant payments, funds received and other records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning Lathrop & Gage, L.C. attorneys' communications from 2004 thru October 22, 2008 with Karl Rove, Tim Griffin, Alberto Gonzales, Paul McNulty, Kyle Sampson, Harriet E. Miers, Monica Goodling, U.S. Attorney General Michael Mukasey, Nora Dannehy, Missouri Senator Christopher "Kit" Bond, Jack Bartling, Jason Van Eaton, and Jeff Roe over Arkansas US Attorney Bud Cummins' public corruption criminal investigation of Lathrop & Gage, L.C.'s fee office and fee office management corporations created to distribute patronage for Missouri Governor Matt Blunt to Republican National Committee donors.

9. The plaintiff requests all communications, documents, consultant payments, funds received and other records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning Lathrop & Gage, L.C. attorneys' communications from 2004 thru October 22, 2008 with Karl Rove, Alberto Gonzales, Paul McNulty, Kyle Sampson, Harriet E. Miers, Michael Elston, Monica Goodling, U.S. Attorney General Michael Mukasey, Nora Dannehy, Missouri Senator Christopher "Kit" Bond, Jack Bartling, Jason Van Eaton, Jeff Roe, Robert Bezanson, and former CoxHealth CEO Larry Wallis concerning the removal of US Attorney Todd Graves and/or the dismissal or settlement of Medicare Fraud charges against CoxHealth and its employees.

**C. Requests For Documents Related To
Lathrop & Gage, L.C.'s Role in the Shughart Thomson Kilroy P.C., Joel Pelofsky, and Janice Stanton
Enterprise to acquire land for Republican National Committee Donor James E. Hasler**

10. The plaintiff requests all communications, documents, records of all payments, funds received and other records of Lathrop & Gage, L.C. and its attorneys and agents concerning the Missouri state civil proceedings, bankruptcy proceedings and criminal investigation of Dustin R. Sherwood and Jennifer Sherwood, the theft of the Sherwood's harvest in an uninspected transfer by to a Missouri licensed grain dealer, James E. Hasler, Joel Pelofsky, Janice Stanton, Gary Collins, Craig Collins, US Attorney John Wood and or his staff, Trimble Missouri, Clay County, US Rep. Sam Graves, US Senator Christopher "Kit" Bond, Deere & Company, and William L. Needler.

11. The plaintiff requests all communications, documents, contracts, records of all payments, funds received and other records of Lathrop & Gage, L.C. for its lease of its Kansas City, Missouri office space.

**D. Requests For Documents Related To
Lathrop & Gage, L.C.'s Insurance and Indemnification**

12. The plaintiff requests all communications, documents, payments, funds promised and other records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning documents related to any insurance coverage held by the defendant that covers the plaintiff's claims or defendant's litigation liabilities.

13. The plaintiff requests all communications, documents, consultant payments, funds received and other records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning documents related to any insurance coverage held by the defendants' agent law firm Fish & Richardson P.C and agent professional services merger consultant Kerma Partners or Lathrop & Gage, L.C.'s future successor in interest that may potentially indemnify the defendants for part or all of the plaintiff's claims or defendants' litigation liabilities.

14. The plaintiff requests all communications, documents, consultant payments, funds received and other records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning documents related to any insurance coverage held by the defendants' successor in interest law firm, merger candidate or joint venture partner.

15. The plaintiff requests all communications, documents, consultant payments, funds received and other records of Lathrop & Gage, L.C. and its attorneys along with identification and addresses of persons with knowledge concerning documents related to offers, proposals, agreements or solicitations related to third parties including but not limited to VHA; UHC; Novation LLC; GHX LLC; Shugart Thomson & Kilroy, P.C.; Cox Health Care Services Of The Ozarks, Inc.; Saint Luke's Health System, Inc.; Stormont-Vail Healthcare, Inc.; or Blackwell Sanders LLP indemnifying any defendants for part or all of the plaintiff's claims or defendants' litigation liabilities and any preliminary communications toward such a collective assignment or allocation of liability communicated with Jim Fitter, Spencer Fane Britt & Browne LLP's Michael Delaney.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 23rd day of October, 2008, by email and by first class mail postage prepaid to:

William G. Beck, Peter F. Daniel, J. Alison Auxter, Lathrop & Gage LC, 2345 Grand Boulevard, Suite 2800, Kansas City, MO 64108 Attorneys for Lathrop & Gage, L.C.

S/Samuel K. Lipari

Samuel K. Lipari
297 NE Bayview
Lee's Summit, MO 64064
816-365-1306
saml@medicalsupplychain.com
Pro se