

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

SAMUEL K. LIPARI, et al.,)	
)	
Plaintiffs,)	
)	Case No: 0616-CV07421
vs.)	
)	Division 5
)	
GENERAL ELECTRIC COMPANY, et al.,)	
)	
Defendants)	

**MOTION TO REQUIRE THE
GENERAL ELECTRIC DEFENDANTS TO ANSWER THE PETITION**

Comes now the petitioner, SAMUEL K. LIPARI appearing *pro se* and respectfully requests that the court require the GENERAL ELECTRIC COMPANY, GENERAL ELECTRIC CAPITAL BUSINESS ASSET FUNDING CORPORATION and GE TRANSPORTATION SYSTEM GLOBAL SIGNALING, L.L.C.,(collectively the "GE defendants") to answer the petitioner's initial complaint as required under Rule 55.07.

STATEMENT OF FACTS

1. The GE Defendants filed a motion to dismiss instead of making a responsive pleading.
2. The GE Defendants' motion to dismiss was denied by this court on May 31st, 2006.

**SUGGESTION IN SUPPORT OF PLAINTIFF'S
MOTION TO REQUIRE DEFENDANTS' ANSWER**

The petition filed by the plaintiff makes specific averments that if admitted or denied by the GE Defendants as required under Rule 55.07 would greatly reduce the discovery and trial burdens on the parties and the court.

Rule 55.07 DEFENSES FORM OF DENIALS states:

“If a responding party has knowledge or information sufficient to form a belief as to the truth of an averment, the party shall admit or deny the specific averment. If the responding party is without knowledge or information sufficient to form a belief as to the truth of a specific averment, the party shall so state, and this has the effect of a denial. Denials shall fairly meet the substance of the averments denied. When a party intends in good faith to deny only a part or a qualification of an averment, the party shall specify so much of it as is true and shall deny only the remainder. A party shall respond to all specific averments as provided in this Rule 55.07 and shall not generally deny all the specific averments.”

CONCLUSION

Whereas the GE Defendants are required to answer the petition by admitting or denying the specific averments made by the plaintiff, the plaintiff Samuel K. Lipari respectfully requests that the court order GENERAL ELECTRIC COMPANY, GENERAL ELECTRIC CAPITAL BUSINESS ASSET FUNDING CORPORATION and GE TRANSPORTATION SYSTEM GLOBAL SIGNALING, L.L.C. to answer the petition.

Respectfully Submitted,

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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 14th day of June, 2006, by first class mail postage prepaid to:

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