

**IN THE STATE OF MISSOURI
WESTERN DISTRICT COURT OF APPEALS
AT KANSAS CITY, MISSOURI**

SAMUEL K. LIPARI)	Case No. WD70534
<i>Petitioner</i>)	(16th Cir. Case No. 0816-04217)
)	(Formerly Case No. WD70001)
<i>vs.</i>)	
)	
NOVATION, LLC; <i>et al</i>)	
<i>Respondents</i>)	

MOTION FOR LEAVE TO REUSE LEGAL FILE FROM WD70001

Comes now the appellant Samuel K. Lipari, appearing *pro se* and respectfully requests that the court grant leave to use the legal file served to this court and the parties in the earlier appeal from this action case no. WD70001 with the addition of volumes from filings after the August 13th, 2008 Notice of Appeal as soon as they are certified by the Clerk of the 16th Circuit Court of Appeals. The appellant respectfully requests the leave be granted for the following reasons.

1. The Legal File containing the record on appeal for WD70001 consisted of four full volumes concluding with the August 13th, 2008 Notice of Appeal requiring extensive certification and copying by the trial court clerk.
2. The Legal File containing the record on appeal for WD70001 includes the motions for dismissal adopted by the court and the petitioner's responses.

3. The remaining party introduced several motions and obtained a judgment on the pleadings and a proposed amended complaint was introduced all of which had added considerably to the already large record on appeal.

Wherefore incorporating the existing legal file from case no. WD70001 with the subsequent filings in additional volumes would conserve the resources of the court and the parties, the petitioner respectfully requests that this court authorize the parties to use the legal file from case no. WD70001.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 20th day of January, 2009, by email:

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