



IN THE 16th JUDICIAL CIRCUIT COURT, Jackson County at Independence, MISSOURI

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|--|---|--|
| Judge or Division: Judge Manners | Case Number: 0816-CV04217 | |
| Plaintiff/Petitioner: Samuel K. Lipari <i>pro se</i> (Assignee of Dissolved Medical Supply Chain, Inc.) | Appellate Number: | <input type="checkbox"/> Filing as an Indigent |
| | Court Reporter: | <input type="checkbox"/> Sound Recording Equipment |
| Defendant/Respondent: Novation, LLC et. al. | Reporter's Telephone: | Number of Days of Trial: |
| | Date of Judgment/Sentence: (Attach a copy) | Date Post Trial Motion Filed: |
| | Date Ruled Upon: | Date Notice Filed: |

(Date File Stamp)

Notice of Appeal

Supreme Court of Missouri Court of Appeals: Western Eastern Southern

Notice is given that Plaintiff/Petitioner appeals from the judgment/decree entered in this action on March 27, 2009 (date).

Complete if Appeal is to Supreme Court of Missouri

Jurisdiction of the Supreme Court is based on the fact that this appeal involves:
(Check appropriate box)

- The validity of a treaty or statute of the United States
- The title to any state office in Missouri
- The punishment imposed is death
- The construction of the revenue laws of Missouri
- The validity of a statute or provision of the Constitution of Missouri

If the basis of jurisdiction is validity of a United States treaty or statute, the validity of a Missouri statute or Constitutional provision or construction of Missouri revenue laws, a concise explanation, together with suggestions, if desired, is required. This may be filed as part of or with this notice of appeal or, in the alternative, may be filed within ten days after the notice of appeal is filed by filing it directly with the Clerk of the Supreme Court. See Rule 81.08(b) and (c) and Rule 30.01(f) and (g).

| | |
|---------------------------------|---|
| Appellant's Attorney/Bar Number | Respondent's Attorney(s)/Bar Number(s) (If multiple, list all or attach additional sheets) |
| Address | Address |
| Telephone Fax | Telephone Fax |
| Appellant's Name | Respondent's Name |
| Address | Address |
| Telephone | Telephone |

Brief Description of Case

| | | |
|---------------------|----------------|--|
| Date of Appeal Bond | Amount of Bond | <input type="checkbox"/> Bond Attached |
|---------------------|----------------|--|

| | |
|------------------------------------|--------------------|
| Signature of Attorney or Appellant | Date 03-30-2009 |
|------------------------------------|--------------------|

Notice to Appellant's Attorney

Local rules may require supplemental documents to be filed. Please refer to the applicable rule for the district in which the appeal is being filed and forward supplements as required.

Certificate of Service

I certify that on 03-30-2009 (date), I served a copy of the notice of appeal on the following parties, at the following address(es), by the method of service indicated. **Service by email.**

Please see attached Certificate of Service:

Samuel K. Lipari *pro se*
Appellant or Attorney for Appellant

Directions to Clerk

Serve a copy of the notice of appeal in a manner as prescribed by Rule 43.01 on the attorneys of record of all parties to the judgment other than those taking the appeal and on all other parties who do not have an attorney. (A copy of the notice of appeal is to be sent to the Attorney General when the appeal involves a felony.) Transmit a copy of the notice of appeal to the clerk of the Supreme Court/Court of Appeals. If a party does not have an attorney, mail the notice to the party at his/her last known address. Clerk shall then fill in the memorandum below. (See Rules 81.08(d) and 30.01 (h) and (i).) Forward the docket fee to the Department of Revenue as required by statute.

Memorandum of the Clerk

I have this day served a copy of this notice by regular mail registered mail certified mail facsimile transmission to each of the following persons at the address stated below. If served by facsimile, include the time and date of transmission and the telephone number to which the document was transmitted.

I have also transmitted a copy of the notice of appeal to the clerk of the

Supreme Court Court of Appeals, _____ District

Docket fee in the amount of \$ _____ has been received by this clerk which will be disbursed as required by statute.

A copy of an order granting leave to appeal as indigent.

Date

Clerk

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing instrument was forwarded this 30th day of March 2009, via email to:

John K. Power, Husch Blackwell Sanders LLP, 1200 Main Street, Suite 2300 Kansas City, MO 64105
Attorney for NOVATION LLC, VHA INC., UNIVERSITY HEALTHSYSTEM CONSORTIUM, VHA
MID-AMERICA LLC, THOMAS SPINDLER, ROBERT BEZANSON, GARY DUNCAN, MARYNARD
OLIVERIUS, SANDRA VAN TREASE, CHARLES ROBB, MICHAEL TERRY, COX HEALTH CARE
SERVICES OF THE OZARKS INC., ST LUKE'S HEALTH SYSTEM INC., STORMONT-VAIL
HEALTHCARE INC., ROBERT BAKER, CURT NONOMAQUE, GHX LLC, NEOFORMA INC.

Michael J. Thompson, 4801 Main St, Ste 1000, Kansas City, MO 64112 Attorney for HUSCH
BLACKWELL SANDERS LLC

William E. Quirk, Polsinelli, Shughart / Shughart Thomson & Kilroy, P.C. 120 W 12TH ST, Ste 1600,
Kansas City, MO 64105 Attorney for SHUGHART, THOMSON & KILROY

Mark A. Olthoff, Polsinelli, Shughart / Shughart Thomson & Kilroy, P.C. 120 W 12TH Street, Ste 1700,
Kansas City, MO 64105 Attorney for PIPER JAFFRAY COMPANIES and ANDREW DUFF

Jay E. Heidrick, Polsinelli, Shughart / Shughart Thomson & Kilroy, P.C. 32 Corporate Woods, Suite 1100,
9225 Indian Creek Parkway Overland Park, Kansas 66210 Attorney for JERRY GRUNDHOFER,
RICHARD DAVIS, ANDREW CECERE,

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

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

**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-CV04217 |
| NEOFORMA, INC. |) | Div. 2 |
| 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> |) | |

NOTICE OF APPEAL

Comes now the plaintiff Samuel K. Lipari appearing *pro se* and gives notice of appeal from this court's dismissal of Robert L. Zollars March 27, 2009. Petitioner appeals from all judgments and dismissals.

Respectfully submitted

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

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Kansas City, MO 64105 Attorney for SHUGHART, THOMSON & KILROY

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