

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
KANSAS CITY, MISSOURI**

MEDICAL SUPPLY CHAIN, INC.,)	
<i>Plaintiff,</i>)	
v.)	Case No. 05-0210-CV-W- ODS
NOVATION, LLC)	Attorney Lien
NEOFORMA, INC.)	
ROBERT J. ZOLLARS)	
VOLUNTEER HOSPITAL ASSOCIATION)	
CURT NONOMAQUE)	
UNIVERSITY HEALTHSYSTEM CONSORTIUM)	
ROBERT J. BAKER)	
US BANCORP, NA)	
US BANK)	
JERRY A. GRUNDHOFFER)	
ANDREW CESERE)	
THE PIPER JAFFRAY COMPANIES)	
ANDREW S. DUFF)	
SHUGHART THOMSON & KILROY)	
WATKINS BOULWARE, P.C.)	
<i>Defendants.</i>)	

**Suggestion In Opposition To Neoforma, Inc.’s Motion To Dismiss Complaint, Or Alternatively To
Require Amendment, Pursuant To F.R.C.P. Rules 8 And 9**

Comes now the plaintiff Medical Supply and makes the present suggestion opposing Neoforma Inc.’s motion to dismiss or amend the plaintiff’s complaint (doc.s 15, 16).

1. The plaintiff has addressed Neoforma’s Rule 8 and 9 arguments in its suggestion opposing VHA, UHC and Novation’s motion for dismissal and incorporates its answer by reference.
2. The other defendants were able to answer or in the alternative seek dismissal. US Bancorp NA, The Piper Jaffray Companies and their corporate officers have a similar Sarbanes-Oxley Act standard to meet for their responses.
3. Plaintiff welcomes Neoforma’s participation in drafting the pretrial order which will replace the present complaint.

Respectfully Submitted
S/Bret D. Landrith
Bret D. Landrith
#KS00500
Kansas Supreme Court ID # 20380
2961 SW Central Park, # G33,
Topeka, KS 66611
1-785-876-2233
1-785-267-4084
landrithlaw@cox.net

Certificate of Service

I certify that on April 19th, 2005 I have served the foregoing with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following:

Mark A. Olthoff , Jonathan H. Gregor, Logan W. Overman, Shughart Thomson & Kilroy, P.C. 1700 Twelve Wyandotte Plaza 120 W 12th Street Kansas City, Missouri 64105-1929

Andrew M. Demarea, Corporate Woods Suite 1100, Building #32 9225 Indian Creek Parkway Overland Park, Kansas 66210 (913) 451-3355 (913) 451-3361 (FAX)

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

Stephen N. Roberts, Esq. Natausha Wilson, Esq. Nossaman, Guthner, Knox & Elliott 34th Floor 50 California Street San Francisco, CA 94111

Bruce Blefeld, Esq. Kathleen Bone Spangler, Esq. Vinson & Elkins L.L.P. 2300 First City Tower 1001 Fannin Houston, TX 77002

Attorneys for Defendants