

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

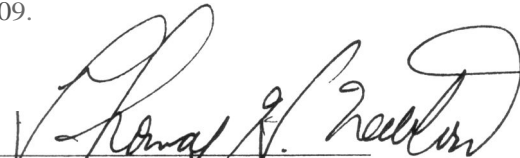
SAMUEL LIPARI,)	
)	
Appellant,)	
)	NoWD70S34
)	Circuit Ct. 0816-CV04217
vs. (JACKSON))	
)	
NOVATION LLC., et al.,)	
)	
Respondents,)	

ORDER

NOW ON THIS DAY the Court takes up for consideration all pending motions in this case. Being fully advised in the premises, the Court finds that the trial court's judgment was not final and appealable because it did not dispose of all the parties. Specifically, service had never been obtained on defendant Robert J. Zollars. Therefore, the trial court never obtained jurisdiction over him, and the judgment did not dispose of him. **Habahbeh v. Beruti, 100 S.W.3rd 8S1 (Mo. App. WD 2002.)**

IT IS THEREFORE ORDERED that the appeal herein be, and the same is hereby dismissed. In light of this disposition, all pending motions are overruled as moot.

Dated this 2y..t; day of February, 2009.



THOMAS H. NEWTON
CHIEF JUDGE

cc: Department of Civil Records
Samuel K. Lipari
William E. Quirk & Mark Olthoff 816-374-0509
John K. Power 816-421-0596
Michael J. Thompson 816-983-8080
Hon. Michael Manners 816-881-4693

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WESTERN DISTRICT

SAMUEL LIPARI,)
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 Appellant,)
) No WD70534
 vs. (JACKSON)) Circuit Ct. 0816-CV04217
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ORDER

NOW ON THIS DAY the Court takes up for consideration all pending motions in this case. Being fully advised in the premises, the Court finds that the trial court's judgment was not final and appealable because it did not dispose of all the parties. Specifically, service had never been obtained on defendant Robert J. Zollars. Therefore, the trial court never obtained jurisdiction over him, and the judgment did not dispose of him. **Habahbeh v. Beruti, 100 S.W.3rd 851 (Mo. App. WD 2002.)**

IT IS THEREFORE ORDERED that the appeal herein be, and the same is hereby dismissed. In light of this disposition, all pending motions are overruled as moot.

Dated this 24th day of February, 2009.


THOMAS H. NEWTON
CHIEF JUDGE

cc: Department of Civil Records
Samuel K. Lipari
William E. Quirk & Mark Olthoff 816-374-0509
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