

IN THE CIRCUIT COURT OF CASS COUNTY, MISSOURI

GEORGE MCCORKELL,	)	
	)	
Plaintiff,	)	
	)	Case No.: 25CA-CC00095
v.	)	
	)	Division 1
JESSE ALAN YOAKUM	)	
D/B/A Jesse Yoakum Well Drilling	)	
and	)	
J S YOAKUM EXCAVATION	)	
AND CONSTRUCTION, LLC	)	
and	)	
JESSE YOAKUM, JR.,	)	
	)	
Defendants.	)	

MOTION FOR INTERLOCUTORY ORDER OF DEFAULT

Plaintiff George McCorkell, by and through undersigned counsel, and pursuant to Missouri Supreme Court Rule 74.05, hereby respectfully moves the Court for an Interlocutory Order of Default in favor of Plaintiff and against Defendants. In support of this Motion, Plaintiff states the following:

1. On March 10, 2025, Plaintiff filed the Petition for Damages against Defendants asserting claims for violations of the Missouri Merchandising Practice Act, Section 407.005, *et seq.*, and for breach of contract, fraudulent inducement, and unjust enrichment.
2. On March 11, 2025, the Court issued summonses to be served upon Defendants.
3. On March 16, 2025, a copy of the Summons, the Petition for Damages, Plaintiff's First Interrogatories to Defendant Jesse Alan Yoakum, and Plaintiff's First Requests for Production of Documents to Defendant Jesse Alan Yoakum, were served upon Defendant Jesse Alan Yoakum, doing business as Jesse Yoakum Well Drilling.

4. On March 16, 2025, a copy of the Summons, the Petition for Damages, Plaintiff's First Interrogatories to Defendant J S Yoakum Excavation and Construction, LLC, and Plaintiff's First Requests for Production of Documents to Defendant J S Yoakum Excavation and Construction, LLC, were served upon Defendant J S Yoakum Excavation and Construction, LLC, through its Member, Jesse Yoakum, Jr.

5. On March 16, 2025, a copy of the Summons, the Petition for Damages, Plaintiff's First Interrogatories to Defendant Jesse Yoakum, Jr., and Plaintiff's First Requests for Production of Documents to Defendant Jesse Yoakum, Jr., were served upon Defendant Jesse Yoakum, Jr.

6. Returns of Service for the service of process upon each Defendant were filed with the Court on May 15, 2025.

7. To date, all three (3) Defendants have failed to plead or otherwise defend as provided for by the Rules.

8. Accordingly, pursuant to Rule 74.05(b), the Court may enter an interlocutory order of default.

WHEREFORE Plaintiff prays that the Court enter an interlocutory Order determining that Defendants are in default and holding that the allegations in Plaintiff's Petition for Damages are deemed admitted.

Dated: August 18, 2025

Respectfully submitted,

CANUTESON LAW LLC

By: /s/ Michael J. Rahmberg

Greg Canuteson, MO Bar #40082

gcanuteson@canutesonlaw.com

Michael J. Rahmberg, MO Bar # 66979

mrahmberg@canutesonlaw.com

20 East Franklin Street

Liberty, Missouri 64068

Phone: (816) 368-8383

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that, on this date, pursuant to Missouri Supreme Court Rule 43.01, a copy of the foregoing was sent via U.S. Mail to the following parties:

Jesse Alan Yoakum d/b/a Jesse Yoakum Well Drilling

26221 S. State Route D.

Cleveland, MO 64734

Jesse Yoakum, Jr.

26221 S. State Route D.

Cleveland, MO 64734

J S Yoakum Excavation and Construction LLC

26221 S. State Route D.

Cleveland, MO 64734

/s/ Michael J. Rahmberg

Attorney for Plaintiff