OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

SOUTHWEST PARTS SUPPLY, INC.,)	
)	No. ED97038
Plaintiff/Respondent,)	
)	Appeal from the Circuit Court
V.)	of St. Louis County
)	09SL-CC04190
ALOIS F. WINTERER,)	Honorable Dale Hood
)	
Defendant/Appellant.)	Filed: March 6, 2012

Appellant Alois F. Winterer (Winterer) appeals the trial court's order enforcing a settlement and subsequent grant of a motion for sanctions. Winterer argues that the trial court improperly granted the motion for sanctions of Respondent Southwest Parts Supply, Inc. (Southwest), because the underlying settlement was never reached.

AFFIRMED.

<u>Division One Holds</u>: The trial court's finding of a valid settlement agreement was supported by substantial evidence and was not against the weight of the evidence. The trial court did not err in entering its judgment without an evidentiary hearing, as there were no disputed facts or defenses to the enforcement of the settlement. The trial court did not abuse its discretion in awarding attorney's fees to Southwest, in light of Winterer's intentional disregard of the trial court's order.

Opinion by: Gary M. Gaertner, Jr., J.

Clifford H. Ahrens, P.J., and Roy L. Richter, J., concur.

Attorney for Appellant: David T. Streett

Attorney for Respondent: Drey A. Cooley

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.