

OPINION SUMMARY
MISSOURI COURT OF APPEALS—EASTERN DISTRICT
DIVISION TWO

MICHELLE R. LEAVITT,)	No. ED101040
and)	
KEVIN T. WINKLER,)	
)	
Petitioners/Appellants,)	Appeal from the Circuit Court
)	of Franklin County
vs.)	09AB-CC00368
)	
GUS and FATMIRA KAKADIARIS,)	Honorable David L. Hoven
)	
Defendants/Respondents.)	FILED: December 23, 2014

Michelle R. Leavitt and Kevin T. Winkler (Buyers) appeal from the trial court’s entry of summary judgment in favor of Gus and Fatmira Kakadiaris (Sellers) on Buyers’ claims related to the purchase of a house.

REVERSED AND REMANDED.

Division Two Holds: Sellers were not entitled to summary judgment because their motion for summary judgment and statement of uncontroverted material facts failed to demonstrate their right to judgment as a matter of law and failed to make adequate factual assertions to sufficiently support their affirmative defenses of statute of limitations and waiver.

Opinion by: Mary K. Hoff, J.
Sherri B. Sullivan, P.J., and Philip M. Hess, J., Concur.

Attorneys for Appellant: Matthew S. McBride

Attorney for Respondent: Kevin A. Richardson

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