

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

LUCAS COX,)	No. ED102333
)	
Plaintiff/Appellant,)	Appeal from the Circuit Court of
)	St. Louis County
vs.)	
)	Honorable Michael D. Burton
ST. PAUL FIRE AND MARINE)	
INSURANCE COMPANY,)	
)	
Defendant/Respondent.)	Filed: June 16, 2015

Lucas Cox (Appellant) appeals from the trial court’s summary judgment entered in favor of St. Paul Fire and Marine Insurance Company (Respondent).

AFFIRMED.

Division Two Holds: As a matter of law, Appellant was not entitled to underinsured motorist coverage from the auto liability insurance policy issued by Respondent to the City of Kirkwood for his injuries caused by Billy Fair’s negligence in operating the sanitation truck on which Appellant was riding because the sanitation truck on which he was injured was not underinsured. As a matter of law, Appellant was not entitled to coverage under the public entity general liability or auto liability portions of the insurance policy issued by Respondent to the City of Kirkwood for his injuries because of the fellow employee exclusion clause in the policy.

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

Attorney for Appellant: David C. Knieriem
Attorneys for Respondent: Laurence R. Tucker, Daniel E. Sakaguchi and Zachary C. Howenstine

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.