

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

NATIONWIDE INSURANCE COMPANY)	No. ED102829
OF AMERICA,)	
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	Cause No. 14SL-CC01166
)	
PATRICE THOMAS,)	Honorable Joseph L. Walsh
)	
Respondent.)	Filed: January 19, 2016

Nationwide Insurance Company of America (“Appellant”) appeals the trial court’s grant of summary judgment in favor of Patrice Thomas (“Respondent”) on Appellant’s declaratory judgment action involving underinsured motorist coverage under a policy issued by Appellant covering a vehicle in which Respondent was a passenger.

AFFIRMED.

Division Three holds: The trial court did not err in granting summary judgment in favor of Respondent, because the insurance policy’s declarations page and limits of liability section contained ambiguities and conflicting coverage statements, and such ambiguities must be resolved in favor of the insured.

Opinion by: Robert M. Clayton III, P.J.
Kurt S. Odenwald, J., and James M. Dowd, J., concur.

Attorney for Appellant: John F. Cooney, Kevin E. Myers

Attorney for Respondent: Joan M. Lockwood, Kaitlin A. Bridges, Walter L. Floyd, Jr.

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.