



**In the Missouri Court of Appeals
Eastern District
DIVISION ONE**

LORI HERNDON,) No. ED91175
)
Appellant,) Appeal from the Circuit Court
) of St. Louis County
vs.) 05CC-002696
)
THE CITY OF MANCHESTER,) Honorable Steven H. Goldman
)
Respondent.) Filed: March 24, 2009

OPINION SUMMARY

Lori Herndon ("Employee") appeals the trial court's grant of summary judgment in favor of the City of Manchester ("Employer") on Employee's claims that Employer violated the Missouri Human Rights Act based on incidents of sexual harassment and sexual discrimination perpetrated by her relief supervisor, Sergeant Willie Epps. She argues that summary judgment is improper because Employer failed to demonstrate that it took reasonable steps to prevent any sexually harassing behavior as a matter of law.

REVERSED AND REMANDED.

Division One holds:

Employer failed to demonstrate that it is entitled to summary judgment as a matter of law because genuine issues of material fact exist as to whether it exercised reasonable care to prevent any sexually harassing behavior.

Opinion by: Glenn A. Norton, Judge Kurt S. Odenwald, P.J. & Patricia L. Cohen, J., concur

Appellant Attorneys: Jerome J. Dobson and Jonathan C. Berns

Respondent Attorneys: Gino F. Battisti, Lise Alexa Newton and Patrick R. Gunn

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.