

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

PHILLIP J. BEHNEN,)	No. ED91683
)	
Appellant,)	Appeal from the Circuit Court of
)	the City of St. Louis
v.)	Cause No. 22044-01458
)	Honorable Donald L. McCullin
A.G. EDWARDS & SONS, INC.,)	
)	
Respondent.)	Filed: May 5, 2009

Phillip J. Behnen appeals the judgment of the Circuit Court of the City of St. Louis, the Honorable Donald L. McCullin presiding, which vacated in part the award of an arbitration panel which had been decided in Behnen's favor. The award had ordered Behnen's Form U-5 amended to read that he was voluntarily terminated from his employment with Respondent, and the trial court held that this was false and the arbitrators exceeded their authority.

REVERSED.

Division Four Holds: The arbitrators did not, under § 435.405.1(3), exceed their powers. Courts must give a high degree of deference to arbitration awards, even if they would have decided differently or the award is contrary to the law. Thus the trial court erred in vacating part of the award.

Opinion by: Kenneth M. Romines, J. Nannette A. Baker, C.J. and Mary K. Hoff, J. concur.

Attorneys for Appellants: Joe D. Jacobson, Allen P. Press & James Simeri

Attorneys for Respondent: Jeffrey J. Kalinowski, Carrie J. Bechtold & Eric D. Martin

<p>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.</p>
