

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

AMERICAN FAMILY MUTUAL)	No. ED92492
INSURANCE COMPANY,)	
)	
Respondent,)	Appeal from the Circuit Court
)	of St. Louis County
v.)	
)	
OTIS ST. CLAIR, Personal Representative)	Honorable Michael T. Jamison
for the Estate of Montrell St. Clair,)	
)	
and)	
)	
ANASTASIA MCNUTT,)	
)	
Appellants.)	Filed: September 8, 2009

In a declaratory judgment action filed by Plaintiff American Family Mutual Insurance Company (American Family) against Defendants Otis St. Clair, personal representative for the estate of deceased Montrell St. Clair (Driver), and Driver's passenger Anastasia McNutt, (collectively referred to as Appellants), Appellants appeal the trial court's summary judgment order against them and in favor of American Family. In its order for summary judgment the trial court concluded that the Named Driver Exclusion provision of the insurance policy issued to Driver's mother, Brenda St. Clair, precluded coverage by American Family of the negligence of Driver on December 6, 2004. The court further concluded that American Family had and has no obligation under any policy to defend Driver or any other person for Driver's accident on December 6, 2004, and that American Family has no obligation to provide uninsured motorist benefits to Passenger in the accident on December 6, 2004.

AFFIRMED.

Division Four holds: Finding no ambiguity in the Insurance Policy read as a whole, Appellants' points on appeal are without merit.

Opinion by: Kurt S. Odenwald, P.J. George W. Draper III, J. and Roy L. Richter, J., Concur.

Attorney for Appellants: David Knierim

Attorneys for Respondent: Daniel E. Wilke and Kathy M. Wilke

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