

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

Rx RECALLS, INC. and MOGIL CORP.,)	No. ED92887
Plaintiffs/Respondents,)	Appeal from the Circuit Court
)	of St. Charles County
v.)	Honorable Ted House
)	Date: May 4, 2010
DEVOS LTD., d/b/a GUARANTEED SALES)	
and d/b/a GUARANTEED RETURNS, GRX)	
HOLDINGS, LLC, and DEAN VOLKES,)	
Defendants/Appellants.)	

The trial court entered a money judgment on a jury verdict in plaintiffs' favor on plaintiffs' joint and individual claims against defendants to recover damages for breach of an asset purchase agreement and promissory note defaults and other claims arising out of the sale of plaintiffs' business assets to defendants. It also granted plaintiffs' motion for directed verdict on the fraud count in defendants' counterclaim and struck defendants' affirmative defense based on fraud in the inducement.

AFFIRMED; REMANDED WITH DIRECTIONS.

Division One Holds:

1. The judgment of the trial court is affirmed in accord with Rule 84.16(b).
2. Plaintiffs' motion for costs, attorney's fees, and expenses on appeal is granted.

Opinion by: PER CURIAM.

Kathianne Knaup Crane, P.J., Robert G. Dowd, Jr., J., and Sherri B. Sullivan, J., concur.

Attorneys for Respondents: Lawrence C. Friedman and Matthew J. Landwehr

Attorney for Appellants: Fernando Bermudez

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.