

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

CHARLES WINSLOW,)	No. ED93544
)	
Respondent,)	Appeal from the Circuit Court
)	of the City of St. Louis
v.)	
)	
TOM NOLAN,)	Honorable Barbara Tina Peebles
)	
Appellant.)	Filed: August 24, 2010

Defendant Tom Nolan (Nolan) appeals from a judgment awarding Plaintiff Charles Winslow (Winslow) damages stemming from undivided profits and unjust enrichment on Winslow’s claim of an equal partnership interest in a plumbing business. The trial court found that Nolan and Winslow had agreed to share equally the profits earned from their plumbing partnership, that the profits had not been equally divided, and that Nolan was unjustly enriched by accepting the benefits of Winslow’s labor, knowledge and experience.

REVERSED.

Division Four holds: Finding no substantial evidence of a partnership agreement between Winslow and Nolan in the record, and no substantial evidence of unjust enrichment to Nolan, we reverse the trial court’s judgment.

Opinion by: Kurt S. Odenwald, P.J. Robert G. Dowd, Jr., J. and Nannette A. Baker, J., Concur.

Attorney for Appellant: Charles A. Hurth, III

Attorneys for Respondent: Joseph L. Racine

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