

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

ZACH MCGUIRE, ET ALL.,

Respondent

v.

KENOMA, LLC, ET AL..

Appellants

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DOCKET NUMBER WD75873

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

DATE: October 15, 2013

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Appeal From:

Circuit Court of Henry County, MO  
The Honorable James Kelso, Judge

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Appellate Judges:

Division One  
Victor C. Howard, P.J., Joseph M. Ellis, and Anthony Rex Gabbert, JJ.

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Attorneys:

Jean Bradshaw, Mara Cohara, Chad Blomberg, Kansas City, Counsel for Appellant,

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Attorneys:

Charles Speer, Peter Bieri, Kansas City, Counsel for Respondents

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**MISSOURI APPELLATE COURT OPINION SUMMARY  
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**ZACH MCGUIRE, ET ALL., Respondent, v.  
KENOMA, LLC, ET AL., Appellants**

**WD75873**

**Henry County**

Before Division One Judges: Victor C. Howard, P.J., Joseph M. Ellis, and Anthony Rex Gabbert, JJ.

Synergy, LLC and Kenoma, LLC (collectively “Synergy”) appeals the circuit court’s nunc pro tunc order awarding Respondents (collectively “Plaintiffs”) post-judgment interest. In its sole point on appeal, Synergy contends that the circuit court erred in entering its nunc pro tunc orders awarding Plaintiffs post-judgment interest. Synergy argues that a nunc pro tunc order may only be used to correct clerical errors and the failure to award post-judgment interest on the damages award was a substantive error, which the court had no jurisdiction to correct after its judgment became final.

**AFFIRM.**

**Division One holds:**

The circuit court did not err in entering its nunc pro tunc orders to amend its final judgment and award Plaintiffs post-judgment interest because, pursuant to Section 408.040.2, the awarding of post-judgment interest is mandatory. After failing to include the statutorily mandated post-judgment interest in its order, the court did not err by correcting its omission via a nunc pro tunc order and Rule 74.06(a).

Opinion by Anthony Rex Gabbert, Judge

Date: October 15, 2013

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