OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FIVE

MARY CALLANAN, ET AL.,	)	No. ED108140
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	the City of St. Louis
vs.	)	
	)	Honorable Michael F. Stelzer
A.W. CHESTERTON, ET AL.,	)	
	)	
Respondent.	)	Filed: March 31, 2020

Mary Callanan and Kelley Miller ("Plaintiffs") filed a petition on behalf of Ronald Callanan ("Callanan") against Cleaver-Brooks, Inc. ("Cleaver-Brooks"), among other defendants, for strict liability, negligence, and willful and wanton misconduct based on alleged asbestos-containing products manufactured and sold by Cleaver-Brooks. The circuit court granted Cleaver-Brooks summary judgment finding the record "devoid of any evidence" of causation. Plaintiffs appeal the grant of summary judgment arguing there is a genuine dispute of material fact over Callanan's exposure to asbestos caused by a Cleaver-Brooks product. Cleaver-Brooks responds Plaintiffs failed to present a genuine dispute for the exposure requirement or the "substantial factor" requirement of the product liability claims.

REVERSED AND REMANDED.

DIVISION II HOLDS: The circuit court erred granting summary judgment because the summary judgment record showed a genuine dispute of material fact from which a jury could infer Callanan was exposed to asbestos from Cleaver-Brooks products, which caused or contributed to cause his asbestosis and death. We reverse the judgment and remand for further proceedings.

Opinion by: Philip M. Hess, J.
Colleen Dolan, C.J. and Sherri B. Sullivan, J. concur.

Attorney for Appellant: Peter A. Kraus, Erica B. Slater and Charles S. Siegel

Attorney for Respondent: Meredith S. Hudgens, Susan E. Bindler, and Jozef J. Kopchick

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.