MISSOURI COURT OF APPEALS
WESTERN DISTRICT

COMPLETE TITLE OF CASE:

OSCAR LOPEZ,

Respondent

v.

HEARTLAND MIDWEST, LLC, ET AL; Respondent

TIME WARNER CABLE MIDWEST, LLC. Appellant

DOCKET NUMBER WD83087

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

DATE: May 26, 2020

Appeal From:

Circuit Court of Jackson County, MO
The Honorable Kevin D. Harrell, Judge

Appellate Judges:

Division One
Lisa White Hardwick, P.J., Cynthia L. Martin, and Thomas N. Chapman, JJ.

Attorneys:

Frederick Starrett, Leawood, KS	Counsel for Appellant
Kenton Snow, Leawood, KS	Co-Counsel for Appellant
John Witten, Leawood, KS	Co-Counsel for Appellant
Philip Albrecht, Leawood, KS	Co-Counsel for Appellant

Attorneys:

Stephen Gorny, Kansas City, MO	Counsel for Respondent, Lopez
Christopher Dandurand, Kansas City, MO	Co-Counsel for Respondent, Lopez
Bradley Russell, Overland Park, KS	Counsel for Respondent, Heartland
Jeffrey Baker, Overland Park, KS	Co-Counsel for Respondent, Heartland

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MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

OSCAR LOPEZ, Respondent,
v.
HEARTLAND MIDWEST, LLC, ET AL, Respondent;
TIME WARNER CABLE MIDWEST, LLC, Appellant

WD83087 **Jackson County**

Before Division One Judges: Hardwick, P.J., Martin, and Chapman, JJ.

Time Warner Cable Midwest, LLC (Time Warner) appeals from the judgment of the Circuit Court of Jackson County, Missouri, confirming an arbitrator's award and entering judgment in favor of Oscar Lopez and against Heartland Midwest, LLC (Heartland) in the amount of $275,000. Time Warner argues that the trial court erred in denying its motion to intervene as a matter of right and in granting Lopez's motion to confirm the arbitrator's award. The appeal is dismissed.

APPEAL DISMISSED.

Division One holds:

Where Plaintiff Lopez's claim against Defendant Charter Communications and Defendant Time Warner's third-party claims against USIC remained pending, the trial court's judgment confirming the arbitration award was not a final judgment from which an appeal could be taken under section 512.020(5), RSMo. The appeal must be dismissed

Opinion by: Thomas N. Chapman, Judge Date: May 26, 2020

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THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.