OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

VANESSA ICKENROTH,	)	No. ED108820
	)	
Appellant,	)	Appeal from the Circuit Court of
	)	St. Louis County
vs.	)	
	)	Honorable John D. Warner Jr.
PARKWAY SCHOOL DISTRICT C-2,	)	
	)	
Respondent.	)	Filed: November 17, 2020

Vanessa Ickenroth ("Ickenroth") appeals the trial court's grant of summary judgment for Parkway School District C-2 ("the District") on her claim of age discrimination under the Missouri Human Rights Act, Section 213.010, RSMo (2014) *et seq*. She argues the District was not entitled to judgment as a matter of law because genuine issues of material fact exist regarding whether her age was a contributing factor in the District's alleged harassment of her. She also argues the trial court erred by assessing costs against her because it did not find her claim was without foundation.

AFFIRMED IN PART, REVERSED IN PART, AND MODIFIED.

DIVISION IV HOLDS: Because no genuine issues of material fact exist regarding whether Ickenroth's age was a contributing factor in the District's alleged harassment of her, the trial court's judgment granting summary judgment for the District is affirmed. The trial court's judgment assessing costs against Ickenroth, however, is reversed because the trial court did not find Ickenroth's claim was without foundation. Because, under Rule 84.14, we may "give such judgment as the court ought to give," we modify the trial court's judgment to remove the portion of the sentence "that costs be taxed against Plaintiff" in the final order on Ickenroth's age discrimination claim. Each party shall bear their own costs.

Opinion by: Philip M. Hess, J.
Gary M. Gaertner, Jr., P.J. and Michael E. Gardner, J. concur.

Attorney for Appellant: Charles R. Dickman and Sarah H. Hale

Attorney for Respondent: Margaret A. Hesse and Mandi D. Moutray

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.