In the Missouri Court of Appeals
Eastern District
DIVISION ONE

PIVOT HOLDINGS, LLC AND DH ADVISORS,	)	No. ED108856
Appellants,	)	
	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	Cause No. 1222-CC00830
THE DANIEL AND HENRY COMPANY,	)	Honorable Michael F. Stelzer
Defendant,	)	Filed: April 20, 2021
and	)	
DEVEREUX MURPHY, LLC,	)	
Respondent.	)	

OPINION SUMMARY

DH Advisors, LLC ("DHA") appeals the judgment granting the motion of Devereux Murphy, LLC ("DM") to enforce its attorney's lien based on its representation of DHA and Pivot Holdings, LLC f/k/a AHM Financial Group, LLC ("Pivot").

AFFIRMED.

Division One holds:

(1) The judgment's finding that there was no express agreement between DM and DHA under which DHA would not be responsible for paying any of DM's attorney fees is supported by substantial evidence and is not against the weight of the evidence. Therefore it was not error to impose on DHA an implied promise to pay DM the reasonable value of services DHA received.

(2) The judgment's finding that DM did not forfeit its right to recover fees under that implied promise when it withdrew from the case based on a conflict of interest between its two clients, DHA and Pivot, is supported by substantial evidence.

(3) The trial court did not misapply the law regarding joint liability by ordering payment of DM's fees from DHA's settlement proceeds. Nor did the trial court misapply the law by declining to divide the amount of fees awarded by client.

Opinion by: Colleen Dolan, P.J.

Robert M. Clayton III, J., and Kelly C. Broniec, J., concur.

Attorney for Appellant: Jack Bernard Spooner

Attorney for Respondent: Michael A. Gross

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.