OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

LYNNE HARRISON,	)	
	)	
Respondent,	)	No. ED109012
	)	
vs.	)	Appeal from the Circuit Court
	)	of the City of St. Louis
HARRIS-STOWE STATE	)	Case No. 1722-CC01238
UNIVERSITY,	)	
	)	
Appellant,	)	Honorable Christopher E. McGraugh
	)	
and	)	
	)	
EMMANUEL LALANDE and	)	
TAMMY BRAMWELL-KIMBROUGH,	)	Filed: May 4, 2021
	)	
Defendants.	)	

The defendant, Harris-Stowe State University, appeals the judgment entered by the Circuit Court of the City of St. Louis following a jury verdict in favor of the plaintiff, Lynne Harrison, under the Missouri Human Rights Act ("MHRA") for retaliatory discharge.

In five points on appeal, the University challenges the trial court's judgment entered in favor of Harrison on her claim of retaliatory termination against the University, and the award to Harrison of attorneys' fees and litigation expenses. Harrison has submitted to this Court a motion for attorneys' fees on appeal.

AFFIRMED IN PART, AND REVERSED AND REMANDED IN PART.

DIVISION THREE HOLDS: We conclude that the *McGinnis* Doctrine does not apply to proscribe verdicts finding the University liable while exonerating its employee, Emmanuel Lalande. We also conclude there is sufficient evidence that Harrison engaged in MHRA-protected activity, and that a causal relationship existed between her engagement in the protected activity and her termination from the University. Therefore, we affirm the trial court's judgment entered in conformity with the jury verdict awarding Harrison $32,000 in actual damages from the University for retaliation under the MHRA. We also affirm the trial court's award of attorneys' fees in the amount of $464,012.50.

In light of our Supreme Court's decision in *Wilson v. City of Kansas City*, we reverse the award of litigation expenses, and remand to the trial court to consider which, if any, of the out-

of-pocket expenses of Harrison's attorneys can be properly awarded as attorneys' fees.

Finally, we grant Harrison's request for reasonable attorneys' fees on appeal, and remand to the trial court to determine and enter an appropriate award.

Opinion by: Angela T. Quigless, P.J.

Kurt S. Odenwald, J. and James M. Dowd, J., concur.

Attorneys for Appellant:	Daniel K. O'Toole, Jeffrey T. McPherson, Travis R. Kearbey, and Paul L. Brusati
Attorneys for Respondent:	Edward D. Robertson III, Edward D. Robertson, Jr., Kelly Frickleton, Jeremy D. Hollingshead, and Nicholas J. Dudley

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.