OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

STEVEN LOERCH,	)	No. ED109707
	)	
Appellant,	)	
	)	Appeal from the Circuit Court
	)	of Franklin County
vs.	)	Cause No. 17AB-CC00071-01
	)	
CITY OF UNION MISSOURI,	)	Honorable Sonya D. Brandt
	)	
Respondent.	)	Filed: February 15, 2022

Stephen Loerch ("Plaintiff") appeals from the summary judgment entered in favor of the City of Union ("Defendant") on his petition claiming disability discrimination under the Missouri Human Rights Act ("MHRA"), § 213.010, *et seq*. Defendant moved for summary judgment on the ground that Plaintiff does not have a "disability" as that term is defined in the MHRA.

REVERSED AND REMANDED.

Division Three holds:

Defendant failed to demonstrate a right to summary judgment based on undisputed facts negating that Plaintiff has a disability under the MHRA:

(a) Defendant failed to show a right to judgment stemming from the undisputed facts regarding the substantial limitation Plaintiff's coronary artery disease has on the major life activity of working;

(b) the facts material to whether Plaintiff's restriction from working outdoors in extreme weather interfered with an essential function of the job are genuinely disputed; and

(c) Defendant failed to demonstrate that the requested accommodation here was unreasonable as a matter of law.

Opinion by: Colleen Dolan, J.

Philip M. Hess, P. J., and Angela Quigless, J., concur.

Attorney for Appellant: Jonathan C. Berns and Amanda D. Anthony

Attorney for Respondent: Richard J. Behr and Sean P. Dolan

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.