OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

HAMMER & STEEL, INC., Appellant, v. THE J. PILLA GROUP, LTD. AND PHILADELPHIA INDEMNITY INSURANCE COMPANY, Respondents.	)	ED113773 Filed: July 28, 2026

Appeal from the Circuit Court of Saint Louis County
The Honorable Kristine A. Kerr, Judge

Hammer & Steel, Inc. ("Plaintiff") appeals the circuit court's ("trial court's") judgment dismissing, without prejudice and for lack of personal jurisdiction, Plaintiff's claim asserting breach of a mechanic's lien bond[1] against The J. Pilla Group, Ltd. and Philadelphia Indemnity Insurance Company (collectively "Defendants").[2]

AFFIRMED.

DIVISION ONE HOLDS:

It is undisputed Defendants are not subject to general personal jurisdiction in Missouri, and Plaintiff has failed to plead adequate facts to establish Defendants are subject to specific personal jurisdiction in Missouri. Therefore, the trial court did not err in granting Defendants' motion to dismiss Plaintiff's breach of mechanic's lien bond claim for lack of personal jurisdiction.

---

[1] The nature of a mechanic's lien bond, which is a filing explicitly allowed for under New York law, is discussed in footnote nine of this Court's opinion.

[2] Generally, a dismissal of a claim without prejudice is not considered a final, appealable judgment. *Copeland v. WRBM, LLC*, 679 S.W.3d 30, 33 n.1 (Mo. App. E.D. 2023); *Thieret Family, LLC v. Delta Plains Services, LLC*, 637 S.W.3d 595, 601 n.2 (Mo. App. E.D. 2021). However, for the reasons discussed in footnote 3 of this Court's opinion, we are permitted to treat the trial court's judgment in this case as a final, appealable judgment.

Opinion by: Robert M. Clayton III, Presiding Judge
Lisa P. Page, Judge; Michael E. Gardner, Judge, concur.

Attorney for Appellant: David M. Duree

Attorney for Respondents: Jeremy M. Suhr

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.