OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

GREGORY ERNST, ET AL, Appellant, v. TAINTER LANDSCAPE, LLC, Respondent.	)))))))))	ED114018 Filed: September 1, 2026

Appeal from the Circuit Court of Warren County
The Honorable Richard L. Scheibe, Judge

SUMMARY:
Appellants Gregory Ernst and Sandra Sheldon appeal the circuit court's judgment setting aside its previous default judgment awarding Appellants $141,466 and costs for their breach of contract claim against Respondent Tainter Landscape, LLC. Specifically, Appellants claim that Respondent failed to satisfy Rule 74.05(d)'s procedural and evidentiary requirements in its motion to set aside the default judgment.

REVERSED AND REMANDED

DIVISION THREE HOLDS:
The circuit court abused its discretion by setting aside its previous default judgment against Respondent because Respondent's motion to set aside the default judgment did not satisfy Rule 74.05(d)'s meritorious defense requirement. Specifically, Respondent's motion and accompanying filings neither presented a breach of contract defense nor offered any facts supporting this assertion as required by Rule 74.05(d) and caselaw. *Brown v. Pro Basement, Inc.*, 686 S.W.3d 352, 355-56 (Mo. App. E.D. 2024).

Opinion by: Thomas C. Clark II., Judge

Renée D. Hardin-Tammons, Presiding Judge; Angela T. Quigless, Judge, concur.

Attorney for Appellant: Bryan P. Cavanaugh

Attorney for Respondent: Lauren L. Hopkins

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.