OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

CHARLES VOYER, Appellant, v. LTF CLUB OPERATIONS COMPANY, INC. D/B/A LIFETIME FITNESS, Respondent.	)	ED114229 Filed: October 6, 2026

Appeal from the Circuit Court of St. Louis County
The Honorable Richard M. Stewart, Judge

Charles Voyer appeals from the circuit court's entry of summary judgment in favor of LifeTime Fitness ("LifeTime") on his premises liability and negligence claims.

DISMISSED.

DIVISION FOUR HOLDS:
The circuit court certified its judgment for immediate appeal under Rule 74.01(b). This designation, however, is effective only if it disposes of a "judicial unit" of claims. *Wilson v. City of St. Louis*, 600 S.W.3d 763, 769 (Mo. banc 2020). The Supreme Court of Missouri has articulated two alternate methods for determining whether a judgment disposes of a judicial unit. *Id.* at 769-71. The judgment must either: (1) resolve all claims by or against one or more (but fewer than all) parties, or (2) resolve claims that are sufficiently distinct from the claims that remain unresolved. *Id.* Claims are "distinct" where they do not arise from the same set of facts, transactions, or occurrences. *Id.* at 770.

The first method is not satisfied here because the judgment did not summarily dismiss any of the parties from the case—LifeTime's counterclaim against Voyer remains pending. As to the second method, the circuit court's judgment did not dispose of a "distinct" judicial unit because the claims here all arise from the same underlying transaction and occurrence—Voyer's fall at LifeTime's facility—and the parties' respective rights and obligations under LifeTime's Member Usage Agreement. Because

the judgment did not dispose of a judicial unit within the meaning of Rule 74.01(b), it is not an appealable final judgment.

Opinion by: Michael E. Gardner, Presiding Judge
James M. Dowd, Judge, and John P. Torbitzky, Judge, concur.

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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.