

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

|                               |   |                               |
|-------------------------------|---|-------------------------------|
| FRANCINE I. KATZ ,            | ) | No. ED95493                   |
|                               | ) |                               |
| Respondent,                   | ) | Appeal from the Circuit Court |
|                               | ) | of the City of St. Louis      |
| vs.                           | ) |                               |
|                               | ) | Honorable Mark H. Neill       |
| ANHEUSER-BUSCH, INC., et al., | ) |                               |
|                               | ) |                               |
| Appellant.                    | ) | FILED: June 14, 2011          |

Anheuser-Busch, Inc. (A-B) appeals from the trial court's judgment denying its Motion to Dismiss, or in the Alternative, to Stay the Proceedings and Compel Arbitration in an employment discrimination suit filed by Francine Katz (Katz).

AFFIRMED.

Division Four holds: The trial court did not err in finding that two separate arbitration agreements were unenforceable against Katz, as one agreement terminated prior to Katz filing her claim, and a valid, enforceable contract was never concluded with regard to the second agreement. The trial court also did not err in considering Katz's subsequent motion to stay arbitration proceedings or in granting said motion.

Opinion by: Kurt S. Odenwald, P.J.  
Robert G. Dowd, Jr., J. and Russell E. Steele, Sp. J., Concur.

Attorneys for Appellant: Gerard T. Carmody, Kelley F. Farrell and Edwin C. Ernst

Attorney for Respondent: John D. Lynn and Mary Anne Sedey

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| <b>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.</b> |
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