

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

VALERIE NAEGER,)	No. ED100012
)	
Plaintiff/Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
v.)	
)	
FARMERS INSURANCE)	Honorable Robert H. Dierker
COMPANY, INC.,)	
)	
Defendant/Respondent.)	Filed: May 6, 2014

Valerie Naeger (Naeger) appeals from the circuit court’s entry of summary judgment in favor of Farmers Insurance Company, Inc. (Farmers) on Naeger’s petition seeking damages for vexatious refusal to pay, underinsured motorist coverage, and breach of contract.

On appeal, Naeger argues the circuit court erred in granting summary judgment to Farmers because the insurance policy at issue was ambiguous and coverage must be interpreted in her favor.

AFFIRMED.

Division Two Holds: Neither the contested policy provisions nor the policy as a whole is ambiguous and, thus, underinsured motorist coverage for Naeger’s injuries is excluded under the contract.

Opinion by: Sherri B. Sullivan, J. Robert G. Dowd, Jr., J., concurs.
Lawrence E. Mooney, P.J., dissents in separate opinion.

Attorney for Appellant: Richard J. Lecinski and Christopher S. Hoffman
Attorneys for Respondent: Teresa M. Young, Bradley M. Zaffiri and Jeffrey L. Cramer

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