

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

DAVID BERGSTROM and	)	No. ED102125
KAYE BERGSTROM, Appellants,	)	
	)	Appeal from the Circuit Court
vs.	)	of the City of St. Louis
	)	
WELCO MANUFACTURING	)	Hon. Robert H. Dierker
COMPANY, Respondent.	)	Filed: September 22, 2015

David and Kaye Bergstrom (“Bergstrom”) appeal from the trial court’s grant of Welco Manufacturing Company’s (“Welco”) motion for summary judgment.

REVERSED AND REMANDED.

Division One holds: The trial court erred in granting Welco’s motion for summary judgment because Welco failed to establish there was no genuine issue as to any material fact.

Opinion by: Robert G. Dowd, Jr., P.J.  
Lisa S. Van Amburg, C.J. and Roy L. Richter, J., concur.

Attorneys for Appellants:	Benjamin R. Schmickle James J. Kusmierczak Michael A. Gross
Attorneys for Respondent:	Mary Ann Hatch Carl P. McNulty II

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