



**In the Missouri Court of Appeals**  
**Eastern District**  
**DIVISION ONE**

ROSANNE STEIN, et al.,	)	No. ED90988
	)	
Appellants,	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	06CC-000222
	)	
NOVUS EQUITIES COMPANY, et al.,	)	Honorable Mark D. Seigel
	)	
Respondents.	)	Filed: January 27, 2009

**OPINION SUMMARY**

Rosanne Stein, et al., several residential property owners in the Sunset Manor area ("the Manor") of the City of Sunset Hills ("Plaintiffs"), appeal the judgment dismissing their petition against real estate developer Novus Equities Company and Jonathan Browne, Novus' chief executive officer ("Defendants"),<sup>1</sup> for failure to state a claim upon which relief can be granted. Plaintiffs' petition asserted claims against Defendants for fraudulent misrepresentation, negligent misrepresentation, injurious falsehood, and negligence. In their petition, Plaintiffs alleged that they were damaged by Defendants' representations about their proposed redevelopment of the Manor, and by Defendants' failure to redevelop the Manor.

AFFIRMED.

Division One holds: The facts alleged in Plaintiffs' petition do not meet the elements of a cause of action for fraudulent misrepresentation, negligent misrepresentation, injurious falsehood, or negligence.

Opinion by: Glenn A. Norton, J. Kurt S. Odenwald, P.J. and Patricia L. Cohen, J., concur

Attorneys for Appellants William A. Brasher, Paul R. Ferber and Paul E. Littleton

Attorneys for Respondents J. Vincent Keady, Jr. and John C. Grellner

**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.**

<sup>1</sup> We note that Plaintiffs' notice of appeal identifies Novus Development Company as an additional defendant and respondent. Novus Development Company was not listed as a defendant in Plaintiffs' petition and we are unable to discern its involvement in this case from the record. Thus, all references to "Novus" refer only to Novus Equities Company, and all references to "Defendants" refer only to Novus Equities Company and Jonathan Browne.