

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

JOHN M. SCHWAB, et al.,)	No. ED92373
Appellants,)	Appeal from the Circuit Court
vs.)	of St. Louis County
)	
NATIONAL DEALERS WARRANTY, INC.,))	Honorable Melvyn W. Wiesman
Respondent.)	FILED: September 8, 2009

John M. Schwab, et al. ("Employees") appeal from the judgment of the Circuit Court of St. Louis County granting summary judgment in favor of National Dealers Warranty, Inc. ("Employer").

AFFIRMED

Division Four Holds: The Employees were not paid a "commission" as that term is defined in Section 407.911 and therefore the judgment of the trial court is affirmed.

Opinion by: Roy L. Richter, J.
Kurt S. Odenwald, P.J., and George W. Draper III, J., concur.

Attorneys for Appellant: Joe D. Jacobson, David T. Butsch, James J. Simeri

Attorneys for Respondent: Thomas B. Weaver, Lisa M. Wood, Michael B. Kass

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.