

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIANE HACKMANN, Appellant,)	No. ED92806
)	
vs.)	Appeal from the Circuit Court
)	of St. Louis County
MISSOURI AMERICAN WATER)	
COMPANY, Respondent.)	Filed: December 8, 2009

Dianne Hackmann ("Mrs. Hackmann") appeals from the trial court's grant of summary judgment in favor of Missouri American Water Company ("Water Company") on her claim of negligence against Water Company for personal injuries sustained by Mrs. Hackmann. Mrs. Hackmann contends the trial court erred in granting summary judgment on her claim for negligence.

REVERSED AND REMANDED.

Division Two holds: The trial court erred in granting summary judgment on the grounds that there was no duty on the part of Water Company because Water Company had a duty to control the water flowing through and from its water main.

Opinion by: Robert G. Dowd, Jr., J.
Sherri B. Sullivan, P.J. and Patricia L. Cohen, J., concur.

Attorney for Appellant: Jane C. Hogan

Attorneys for Respondent: Kurt A. Hentz and Matthew H. Noce

<p>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.</p>
