

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

HAROLD HANSEN, Respondent,)	No. ED93688
)	
vs.)	Appeal from the Circuit Court
)	of St. Louis County
W. K. HALLIBURTON and)	
HALLIBURTION FINANCIAL)	Filed:
SERVICES, INC., Appellants.)	October 5, 2010

W.K. Halliburton (“Halliburton”) and Halliburton Financial Services, Inc. (collectively “HFS”) appeal from the judgment in favor of Harold E. Hansen (“Hansen”) in the amount of \$408,271.58. HFS alleges: (1) the trial court erred in concluding HFS failed to meet its burden of proof on its counterclaim; (2) the trial court erred in concluding that, exclusive of tax consequences, Hansen suffered \$304,609.58 in damages as a consequence of Defendants’ disbursement of \$304,609.58 from Hansen’s IRA accounts without his authorization or consent; (3) the trial court’s judgment that the unauthorized disbursements from Hansen’s IRA accounts made by HFS between April of 2002 and 2006 resulted in \$103,662.00 of negative tax consequences for Hansen was not supported by competent and substantial evidence; and (4) the trial court erred in awarding Hansen \$408,271.58 as a consequence of HFS’s unauthorized disbursement of \$304,609.58 from Hansen’s IRA accounts.

REVERSED AND REMANDED.

Division Four Holds: The trial court erred in concluding HFS had failed to meet its burden of proof on its counterclaim. The trial court erred in concluding that, exclusive of tax consequences, Hansen suffered \$304,609.58 in damages as a consequence of Defendants’ disbursement of \$304,609.58 in proceeds from Hansen’s IRA accounts. The trial court’s judgment that the unauthorized disbursements from Hansen’s IRA accounts made by HFS between April of 2002 and 2006 resulted in \$103,662.00 of negative tax consequences for Hansen was not supported by competent and substantial evidence.

Opinion by: Robert G. Dowd, Jr., J.
Kurt S. Odenwald, P.J. and Nannette A. Baker, J., concur.

Attorney for Appellants: Charles F. Dufour, Jr.

Attorney for Respondent: Angela M. Redden-Jansen

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.