

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

KESHAV S. JOSHI, M.D., Appellant, ) No. ED94289  
)  
vs. ) Appeal from the Circuit Court of  
) St. Louis County  
JONATHAN RIES and SANDBERG, ) Honorable Richard C. Bresnahan  
PHOENIX & VON GONTARD, P.C., )  
Respondents. ) Filed: November 16, 2010

### OPINION SUMMARY

Keshav S. Joshi, M.D. (“Plaintiff”) appeals the judgment entered by the Circuit Court of St. Louis County in favor of defendants Jonathan Ries (“Ries”) and Sandberg, Phoenix & von Gontard, P.C. (“SPvG”) (collectively “Defendants”). In his first two points on appeal, Plaintiff claims that the Circuit Court of the City of St. Louis erred in denying Plaintiff’s application for change of judge and granting Defendants’ motion for transfer of venue to the Circuit Court of St. Louis County. In his third point on appeal, Plaintiff claims that the Circuit Court of St. Louis County erred in finding that his claims were barred by the statute of limitations and granting summary judgment for Defendants.

REVERSED AND REMANDED.

Division Five holds: The Circuit Court of the City of St. Louis erred in denying the application for change of judge and lacked authority to proceed further other than to transfer the case.

Opinion by: Patricia L. Cohen, J. Gary M. Gaertner, Jr., P.J., and Mary K. Hoff, J., concur.

Attorney for Appellant: Naren Chaganti

Attorneys for Respondents: Gerard T. Noce and Justin Assouad

**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.**