

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

MARTHA’S HANDS, LLC,	)	No. ED94341
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	
	)	Honorable Ellen H. Ribaudó
STEVEN ROTHMAN,	)	
	)	
Appellant.	)	FILED: December 28, 2010

Martha’s Hands, LLC (Martha’s Hands) appeals from the judgment of the trial court, denying its claims for breach of contract and damages, and finding in favor of defendant, Steven Rothman. We reverse the trial court’s ruling on the denial of Martha’s Hands’s claim for breach of contract, the denial of a portion of the interest sought by Martha’s Hands, and the denial of costs and attorney’s fees sought by Martha’s Hands. We remand to the trial court for a determination of the amount of attorneys fees and costs, and for a determination of liability under Steven Rothman’s third party claim against Courtney Rothman. We affirm as to the trial court’s denial of a portion of the interest sought by Martha’s Hands.

REVERSED AND REMANDED, IN PART. AFFIRMED, IN PART.

Division Four Holds: A portion of the trial court’s judgment was against the weight of the evidence, as undisputed evidence was presented at trial as to Martha’s Hands’s claim for breach of contract, and its claims for a portion of the interest sought, costs, and attorney’s fees. The trial court did not err in denying Martha’s Hands a portion of the interest sought as that portion of the judgment was supported by substantial evidence, was not against the weight of the evidence, did not erroneously declare the law, and did not erroneously apply the law.

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

Attorney for Appellant: Michael D. Quinlan

Attorney for Respondent: William Higley

**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.**