

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

WRIT DIVISION SEVEN

STATE ex rel. MARCIA BEHRENDT)	No. ED95541
and ROGER PLACKEMEIER,)	
)	
Relators,)	
)	
vs.)	
)	
HONORABLE MARK H. NEILL,)	
TWENTY-SECOND JUDICIAL CIRCUIT,)	
CITY OF ST. LOUIS, MISSOURI,)	
)	March 15, 2011
Respondent.)	

ORIGINAL PROCEEDING IN PROHIBITION

Relators seek to prohibit civil discovery of their attorney-client communications. We issued our preliminary writ and now make it absolute.

PRELIMINARY ORDER MADE ABSOLUTE

Writ Division Seven Holds: Relators did not waive their attorney-client privilege by their pleadings or deposition testimony. Therefore, Respondent is prohibited from requiring Relators to produce attorney-client privileged information. Respondant is directed to set aside its September 21, 2010 order compelling Relators to produce such documents.

Opinion by: Daniel E. Scott, Special Judge

Don Burrell, Jr., Sp.J., and William W. Francis, Jr., Sp.J., concur

Attorneys for Appellant: Matthew J. Ghio

Attorneys for Respondent: Douglas P. Dowd, Alex R. Lumaghi

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.