

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

WILLIAM PATRICK HILL and	)	Nos. ED96207 & ED96174
JACQUES HUGHES,	)	Appeal from the Circuit Court
Plaintiffs/Appellants/Cross-Respondents,	)	of the City of St. Louis
v.	)	Honorable Troy A. Cardona
CITY OF ST. LOUIS, MISSOURI,	)	Date: May 1, 2012
Defendant, and	)	
JAMES MURPHY, in his Official Capacity as	)	
Sheriff for the City of St. Louis, Missouri,	)	
Defendant/Respondent/Cross-Appellant.	)	

In this hostile work environment lawsuit, which was brought under the Missouri Human Rights Act (MHRA), the jury returned verdicts in plaintiffs' favor assessing actual and punitive damages. The trial court entered a judgment in plaintiffs' favor in which it awarded actual damages consistent with the jury's verdicts, but ordered remittitur of the punitive damage awards and entered judgment for a lower amount of punitive damages. It also awarded plaintiffs attorney's fees and costs. Both parties appeal.

**AFFIRMED and REMANDED FOR HEARING ON ATTORNEY'S FEES ON APPEAL.**

Division Two Holds:

1. The trial court did not abuse its discretion in permitting plaintiffs to argue in closing argument that Sheriff Murphy had no personal liability on the judgment.
2. The trial court did not abuse its discretion in permitting a history professor to testify as an expert about the historical significance and symbolism of the noose to African Americans.
3. The trial court did not abuse its discretion in permitting an attorney and human resources consultant to testify as an expert to her opinions based on EEOC enforcement guidance and generally accepted human resources practices.
4. Defendants did not preserve the error asserted on appeal with respect to the submission of the verdict directors on the racially hostile work environment counts.
5. The trial court did not abuse its discretion in ordering remittitur of punitive damages.
6. The trial court did not abuse its discretion in awarding plaintiffs attorney's fees at lower hourly rates than plaintiffs requested.
7. The case is remanded for a hearing on plaintiffs' attorney's fees incurred on appeal in responding to defendant's appeal.

Opinion by: Kathianne Knaup Crane, P.J.  
Kenneth M. Romines, J. and Robert M. Clayton III, J., concur.

Attorneys for Plaintiffs/Appellants/Cross-Respondents: Jerome J. Dobson and Jonathan C. Berns

Attorneys for Defendant and Defendant/Respondent/Cross-Appellant: Christine L. Hodzic and Nancy R. Kistler

**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.**