

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

SCOTT SALVAGE YARD, LLC,	)	No. ED97870
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of Audrain County
vs.	)	
	)	Honorable Keith M. Sutherland
HARVEY L. GIFFORD,	)	
	)	
Appellant.	)	FILED: August 28, 2012

Harvey Gifford (“Gifford”) appeals from the trial court’s judgment in favor of Scott Salvage Yard, LLC (“Scott”). A jury found Gifford liable to Scott for fraudulent inducement and awarded Scott both compensatory and punitive damages. The trial court entered a judgment accordingly. On appeal, Gifford asserts that the trial court erred in failing to dismiss Scott’s claim of fraud or grant Gifford’s motion for judgment notwithstanding the verdict because Scott’s petition failed to state a claim. Gifford also argues that the trial court erred in submitting the issue of punitive damages to the jury because insufficient evidence exists to support an award of punitive damages.

AFFIRMED.

Division Four holds: Scott’s petition states a claim for fraudulent inducement and sufficient evidence exists to support submission of the case to a jury on the issue of punitive damages. The judgment of the trial court is affirmed.

Opinion by: Kurt S. Odenwald, J., Lawrence E. Mooney, P.J., and Patricia L. Cohen, J., Concur.

Attorney for Appellant: Anthony L. DeWitt

Attorney for Respondent: Robert V. Krueger, Jr.

**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.**