

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

FIRST COMMUNITY CREDIT UNION,)	No. ED98352
)	
Appellant,)	Appeal from the Circuit Court
)	of the City of St. Louis
vs.)	
)	Honorable Mark H. Neill
ZACHARY A. LEVISON and MARSHA)	
LEVISON,)	
)	
Respondents.)	FILED: January 29, 2013

First Community Credit Union ("FCCU") appeals from the judgment of the trial court dismissing its Breach of Contract Petition based upon defendant Zachary Levison's Motion to Dismiss for failure to state a claim.

REVERSED AND REMANDED.

Division Three Holds: Because a distinct "judicial unit" was disposed of by the trial court and the trial court did not abuse its discretion in certifying its Order and Judgment as appealable under Rule 74.01(b), this Court has authority to entertain this appeal.

The trial court erred in finding that FCCU's pre-sale notice failed to satisfy the requirements of Section 400.9-614. While FCCU's pre-sale notice sent to Respondent did not track the Safe Harbor Form, the pre-sale notice sufficiently satisfied the requirements of Section 400.9-614.

Opinion by: Roy L. Richter, J.
Robert G. Dowd, Jr., P.J., and Angela T. Quigless, J., concur

Attorney for Appellant: Thomas M. Martin, Joseph E. Bant

Attorneys for Respondent: Martin L. Daesch, Lyndon P. Sommer, Jesse B. Rochman

**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**