

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

**DIVISION FOUR**

RELIANCE BANK,	)	No. ED99837
	)	
Plaintiff/Respondent,	)	Appeal from the Circuit Court of
	)	St. Louis County
vs.	)	
	)	Honorable Richard C. Bresnahan
PARAMONT PROPERTIES, LLC,	)	
	)	
and	)	
	)	
KEITH BARKET,	)	
	)	
Defendants/Appellants.	)	Filed: March 25, 2014

Paramont Properties, LLC and Keith Barket (Defendants) appeal the judgment of the circuit court granting Reliance Bank (Plaintiff) summary judgment on Plaintiff's claims for breach of a promissory note and breach of a guaranty and dismissing Defendants' counterclaims for breach of the covenant of good faith and fair dealing and counterclaim for wrongful foreclosure. On appeal, Defendants argue that the circuit court erred by (1) "striking" their counterclaim for breach of the covenant of good faith and fair dealing; (2) granting summary judgment for Plaintiff; and, (3) dismissing their wrongful foreclosure counterclaim.

AFFIRMED.

Division Four holds:

- 1) The circuit court's judgment dismissing Defendants' counterclaim for breach of the covenant of good faith and fair dealing is affirmed because Defendants failed to allege facts that Plaintiff acted in bad faith.
- 2) The circuit court's judgment granting summary judgment on Plaintiff's claims for breach of the promissory note and breach of the guaranty is affirmed because there is no genuine issue of material fact and Plaintiff is entitled to judgment as a matter of law.
- 3) The circuit court's judgment dismissing Defendants' counterclaim for wrongful foreclosure is affirmed because Defendants failed to allege facts supporting an inadequate foreclosure sale price.

Opinion by: Philip M. Hess, J.  
Lisa S. Van Amburg, P. J. and Patricia L. Cohen, J. concur.

Attorney for Appellants: Paul J. Puricelli and Sam Alton

Attorney for Respondent: Michael P. Stephens and Sarah M. Vatterott

**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.**