

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**RHONDA GABRIEL**

**APPELLANT-RESPONDENT,**

**v.  
SAINT JOSEPH, LLC AND ITS  
AFFILIATED COMPANIES, ET AL.**

**RESPONDENTS-APPELLANTS.**

---

DOCKET NUMBER WD75959 Consolidated with WD75960

DATE: December 31, 2013

---

Appeal From:

Buchanan County Circuit Court  
The Honorable Randall R. Jackson, Judge

---

Appellate Judges:

Division Three: Karen King Mitchell, Presiding Judge, Lisa White Hardwick, Judge and  
Gary D. Witt, Judge

---

Attorneys:

Paul A. Bullman, Kansas City, MO, for appellant-respondent.

Amanda Jo Montee and Susan Montee, St. Joseph, MO, for respondents-appellants.

---

**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**RHONDA GABRIEL,**

**APPELLANT-RESPONDENT,**

**v.**

**SAINT JOSEPH, LLC AND ITS  
AFFILIATED COMPANIES, ET AL.,**

**RESPONDENTS-APPELLANTS.**

No. WD75959 Consolidated with WD75960

Buchanan County

Before Division Three: Karen King Mitchell, Presiding Judge, Lisa White Hardwick, Judge and Gary D. Witt, Judge

Appellant/Respondent Rhonda Gabriel ("Gabriel") brought claims of unlawful employment actions against her former employer, Respondent/Cross-Appellant Saint Joseph License, LLC ("Saint Joseph License"), as well against managers and/or owners of Saint Joseph License. A jury returned a verdict for the defendants. Gabriel asserts three points of error on appeal. Respondents/Cross-Appellants assert two points of error on cross-appeal. We affirm as to all of Gabriel's points on appeal. We reverse and remand as to the first point on cross-appeal.

**AFFIRMED IN PART; REVERSED AND REMANDED IN PART**

**Division Three holds:**

(1) While Respondents'/Cross-Appellants' first point on appeal is meritorious and requires remand, Gabriel's three points on appeal lack merit, and a formal, published decision related thereto would serve no jurisprudential purpose. Accordingly, we affirm the trial court's judgment as to those points by summary order pursuant to Rule 84.16(b).

(2) Prior to trial, Respondents/Cross-Appellants made an "Offer of Judgment" pursuant to Rule 77.04, which Gabriel rejected. Because Respondents/Cross-Appellants prevailed after trial and met the terms of Rule 77.04, the trial court erred in overruling their motion for costs.

Opinion by Gary D. Witt, Judge

December 31, 2013

\*\*\*\*\*

**This summary is UNOFFICIAL and should not be quoted or cited.**

