

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

IN RE: STEPHEN M. GUNTHER	)	No. ED96088
REVOCABLE LIVING TRUST	)	
	)	Appeal from the Circuit Court
ANGEL GUNTHER, Next Friend, et al.,	)	of St. Louis County
	)	
Plaintiffs/Appellants,	)	
	)	
vs.	)	
	)	
J. BARRY GUNTHER,	)	
	)	
Defendant/Respondent.	)	Filed: October 4, 2011

The plaintiffs, beneficiaries Alton Gunther and Adam Gunther, by their next friend Angel Gunther, appeal the summary judgment entered by the Circuit Court of St. Louis County against them and in favor of the defendant, trustee J. Barry Gunther.

**JUDGMENT AFFIRMED**

DIVISION TWO HOLDS: Because the trustee owed no duty to beneficiaries Alton and Adam Gunther prior to the settlor's death, they are not entitled to an accounting of trust transactions prior to that date.

Opinion by: Lawrence E. Mooney, J. Kathianne Knaup Crane, P.J., and  
Kenneth M. Romines, J., concur.

Attorney for Appellant: Joseph R. Burcke

Attorney for Respondent: Gregory P. Zitko

**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.**