

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
ASSOCIATE CIRCUIT DIVISION
AT INDEPENDENCE**

**SUSAN BEHYMER,
PLAINTIFF,**

VS.

**CASE NO. 1016-CV37894
DIVISION 32**

**WILKINSON FAMILY DENTISTRY, L.L.C.,
ET AL,
DEFENDANTS.**

JUDGMENT

On August 19th, 2011, this cause is called for trial. Plaintiff appears in person and by her attorney, A. Scott Waddell. Defendant, Debra A. Wilkinson, appears in person and also as authorized representative of Wilkinson Family Dentistry, L.L.C., and both Defendants are represented by attorney, David R. Mitchell. Evidence and arguments are heard on Plaintiff's *Petition*. The Court takes the matter under advisement.

The Court, having heard the evidence and arguments, finds the issues on Count I and III of Plaintiff's *Petition* in favor of Defendants and against Plaintiff.

The Court further finds the issues on Count II of Plaintiff's *Petition* in favor of Plaintiff and against Defendant, Wilkinson Family Dentistry, L.L.C. Plaintiff is entitled to wages from the date of discharge, November 4th, 2010, until January 3rd, 2011, in accordance with § 290.110 RSMo. Plaintiff is entitled to damages in the amount of \$5,544.00 gross wages, subject to taxable deductions as required by law. (Damages were calculated based on a 32 hour work week at a contract rate of \$21.00 per hour and 33 eligible work days within the 60 day statutory period granted by § 290.110 RSMo.)

The Court further finds the issues on Count IV of the Plaintiff's *Petition* in favor of the Plaintiff and against Defendants. The Plaintiff is entitled to nominal actual damages of \$1.00 and punitive damages in the amount of \$ 2,500.00.

IT IS THEREFORE ORDERED that Judgment be entered in accordance with said findings, and costs are assessed against Defendants.

DATE

ASSOCIATE CIRCUIT JUDGE

The undersigned hereby certifies that a true and correct copy of the foregoing was faxed this Tuesday, August 21, 2012.

Jerad Stock, Law Clerk

Copies to: A. Scott Waddell, Attorney for Plaintiff
 David R. Mitchell, Attorney for Defendants