

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In Re:)	
)	
WEST POINTE LIMITED PARTNERSHIP,)	Case No. 09-44326-659
ET. AL.)	Judge Kathy A. Surratt-States
)	Chapter 11
Debtors.)	
)	
GANNON PARTNERSHIP 19, L.P.,)	Adversary No. 06-4474-659
)	
Plaintiff,)	PUBLISHED
)	
-v-)	
)	
SUSMAN, SCHERMER, RIMMEL, &)	
SHIFRIN, L.L.C.,)	
)	
Defendant.)	

ORDER

Upon consideration of the record as a whole, and consistent with the Findings of Facts and Conclusions of Law entered separately in this matter,

IT IS ORDERED THAT Plaintiff's Motion for Summary Judgment is GRANTED IN PART as to Count I in that Plaintiff's request for a judgment declaring that Defendant's claims are dismissed with prejudice is GRANTED, judgment is entered in favor of Plaintiff as to Count I and Defendant's Counterclaims and dismissed with prejudice and DENIED IN PART in that Plaintiff's request for attorneys fees is DENIED; and

IT IS FURTHER ORDERED THAT Plaintiff's Motion for Summary Judgment is GRANTED IN PART as to Count III in that Plaintiff's request for turnover of Retainer and all accrued interest is GRANTED and judgment is entered in favor of Plaintiff as to Count III and DENIED IN PART in that Plaintiff's request for attorneys fees is DENIED; and

IT IS FURTHER ORDERED THAT Plaintiff's Motion for Summary Judgment is DENIED AS MOOT as to Count II; and this is a final judgment and Order of the Bankruptcy Court in this case.



KATHY A. SURRATT-STATES
United States Bankruptcy Judge

DATED: May 19, 2009
St. Louis, Missouri

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