

# Raising the Bar

The Quarterly Newsletter of  
**BEHR, McCARTER & POTTER, P.C.**  
 ATTORNEYS AND COUNSELORS AT LAW

Medical Malpractice • Trucking • Legal Malpractice • Insurance Defense • Construction • Employment • Municipal • Aviation

## Spring! No Time for Gloom!

No doubt we have all been deluged with depressing news of the global recession, bank failures, doomed auto companies and, of course, massive layoffs at law firms. Few people alive today can remember times with such dire tidings. Closer to home, my family's spring break trip to Florida turned into a highlight reel of "Weather Channel" disasters with tropical storms, flooding and tornados right outside our windows. Okay, enough already! We're tired of the gloom and doom and ready to look for more positive signs of recovery and better times ahead.



RICHARD J. BEHR

Winter is over and spring is here! Look outside and you can see the leaves back on the trees, the flowers are blooming and the sun is still out when you drive home from work. On the economic front, the stock market seems to have hit bottom and started its slow climb back up. Some of the large international banks reported profits rather than losses in the first quarter. Auto sales in the U.S., while still at depressed levels, jumped nearly 25% in March compared to February. And, perhaps most importantly, the St. Louis Cardinals are off to a hot start with the Cubbies lagging behind.

Firm wise, Behr, McCarter & Potter has not been immune to the slowdown, but we have managed to avoid any layoffs or drastic cutbacks and look forward to conditions improving in the year ahead. In fact, we have recently seen a number of accomplishments by our members, both professional and personal—many of them deserving special mention.

Tony Behr and Dudley McCarter were again selected for inclusion in the prestigious publication "Best Lawyers in America." Tony Behr successfully testified for the defense as an expert witness in a legal malpractice case filed by Amid Hosseini, M.D. against the attorney and law firm that had represented him in a medical malpractice case. Dr. Hosseini, a board-certified OB-GYN, claimed that defendants were negligent in their defense of him in an underlying medical malpractice/wrongful death case. However, with assistance from Tony, the defense prevailed, as on March 23, 2009, a St. Louis County jury returned a verdict in favor of defendants.

Steve Potter successfully defended a surgeon in the case of *Barbara Smith v. Dr. Robert Prophete, M.D.* On February 9, 2009 a City of St. Louis jury returned a defense verdict in this medical malpractice case against a surgeon for allegedly performing an unnecessary procedure and perforating the plaintiff's ureter resulting in permanent kidney damage. Steve successfully argued on behalf of the surgeon that the procedure was appropriate and that the perforation of the ureter was a known risk and potential complication of the procedure. A defense verdict in the City of St. Louis always deserves mention.

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Behr, McCarter & Potter, P.C. "Advertising Material: Commercial Solicitations are permitted by the Missouri Rules of Professional Conduct, but are neither submitted to nor approved by the Missouri Bar or the Supreme Court of Missouri." Mo. Rule 4-7.3.

Tom Hayek was recently recognized for receiving one of the top ten defense verdicts in St. Louis, Missouri over the past year. In *Roxanne Delmain v. Scott H. Johnson, M.D.*, Tom, with assistance from Tim Reichardt, successfully defended Dr. Scott Johnson in a medical malpractice case in St. Louis County Circuit Court wherein the plaintiff sought over \$4 million in damages. The case involved a woman who was in a head-on auto collision resulting in a ruptured aorta. She was extricated from the car and airlifted to St. John's Mercy Medical Center in Creve Coeur, Missouri. Dr. Johnson was able to repair the aorta to save her life, but she suffered paraplegia from her chest down. Plaintiffs alleged that the doctor negligently delayed in ordering the open heart surgery resulting in the paraplegia. The jury returned a defense verdict within one hour.

This past January, Joseph Blanner and Amy Shasserre obtained a significant appellate victory in the United States Court of Appeals for the 8th Circuit. In *The United States of America for the Use of Lighting and Power Services, Inc. v. Interface Construction Corp.*, Joe and Amy represented the electrical sub-subcontractor in a government renovation project brought under the Miller Act against a contractor, subcontractor and surety to recover the amount due for unpaid labor and materials furnished on the major project.

Dudley McCarter recently received word that he will be receiving the "Distinguished Service Award" from the University of Missouri and the v Alumni Association at a banquet on October 2, 2009 in Columbia, Missouri. This is a great honor for Dudley and we salute him for it. Additionally, firm member Timothy J. Reichardt was elected to the 2009 Board of Directors of the Young Friends of St. Louis Children's Hospital. In addition Ed Crites was recently appointed the Provision Judge of Warson Woods.



On a more personal level, Ed Crites entered and successfully completed the Boston Marathon. Ed, age 55, finished in 3 hours and 21 minutes, placing in the top 6% of his age group and finishing as one of the top entrants from St. Louis. Receptionist Katie Behr also completed the Nashville Marathon in April, 2009. Last but not least, you may now read all of our newsletters on our website at [behrmccarter-potter.com](http://behrmccarter-potter.com). 

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## Tax Credits are an Economic Stimulus: A Primer on the Beneficial Use of Tax Credits

by Gerry Hempstead



The Sisters of the Most Precious Blood own a 100,000 square foot motherhouse built in 1875 in O'Fallon, Missouri. Only 100 sisters were living there. They knew that something had to be done to use the building more efficiently but the question was what can you do with an old building? The number of sisters was diminishing and their expenses were increasing. The Sisters did not want to move but were concerned about the cost of renovation. If they did move, who would buy a 125-year old motherhouse?

The leadership team led by Sr. Mary Whited and Sister Fran Raia worked with Gerry Hempstead to create options. Gerry works with religious orders and non-profits to find creative solutions for their property. They considered the cost of moving and weighed it against the advantages of staying in O'Fallon where they had made an important contribution with their presence and their ministries.

Gradually, they developed a plan with the assistance of Joseph Cavato of the Community Development Corporation and John Wuest of the St. Louis Equity Fund. A decision was made to create the Village of St. Mary's. After interviewing a number of qualified developers, the team chose to enter into a joint venture with McEagle Properties who had developed Winghaven in St. Charles County.

The joint venture initiated a plan to preserve the motherhouse and create affordable housing apartments for seniors. This would be a continuum of care facility that would provide for independent living apartments and home health care as well as skilled nursing. St. Andrew's Management Services will be the manager. Forty of the sixty apartments in the motherhouse would be available to tenants who earned 60% or less of the area median income.

Applications were submitted for historic tax credits and affordable housing credits. The motherhouse was placed on the National Historic Register and qualified for federal and state historic tax credits. The application for affordable housing credits was also approved. Coupling these two tax credits together created the economic benefit to make this project affordable. In addition, the project will also receive a Missouri Brownfield tax credit to help pay for the environmental abatement work. Almost 80% of the funding will be provided by the equity generated from the sale of these credits.

The surrounding community is excited about the new development and is looking forward to its completion. The sisters will be able to stay in O'Fallon and open their motherhouse to the community. Several neighbors have already asked that they be notified when the apartments will be available for rent. As the number of sisters diminish, it is likely that all of the apartments will eventually be occupied by seniors from the area. This creates an exit strategy for the sisters.

U.S. Bank and Bank of America as well as the St. Louis Equity Fund participated in the financing of this project. The Lawrence Group was the lead architectural firm. Paric is the general contractor. The project could not have been possible without the support of the City of O'Fallon and St. Charles County and the state office of economic development.

This is a great example of how the public sector and the private sector can create economic opportunities for jobs as well as preserving historic buildings for the community to appreciate for years to come. This will be the catalyst for retail and commercial development in downtown O'Fallon. There will be a substantial boost in the sales tax revenue for the city, the county and the state for years to come. §

## *Don't Be An Easy Target: 5 Steps Every Employer Can Take To Avoid Employment Litigation*

*by Jason W. Kinser*



JASON W. KINSER

The U.S. Equal Employment Opportunity Commission ("EEOC") recently reported that it received a total of 82,792 private sector discrimination charges last fiscal year, the highest volume of incoming charges since 2002 and the largest annual increase (9%) since the early 1990s.

According to the EEOC's FY 2007 data, allegations of discrimination based on race, retaliation, and gender were the most frequently filed charges. Additionally, nearly all major charge categories showed double digit percentage increases from the prior year. The increase in the total number of charges filed may be due to a combination of factors, including greater awareness of the law, changing economic conditions, and increased diversity and demographic shifts in the labor force.

Reflecting on these alarming numbers, EEOC Chair Naomi C. Earp commented that "Corporate America needs to do a better job of proactively preventing discrimination and addressing complaints promptly and effectively." While the number of charge filings may be rising, there are a number of things any employer can do to prevent discrimination and reduce the odds of ending up as a respondent in a charge of discrimination.

1. Ensure that all job related decisions (hiring, firing, promotions, scheduling, etc.) are made without regard to an employee or potential employee's race, gender, age, religion, or national origin. Physical disabilities or limitations should only be considered when determining whether the employee could perform the essential functions of a position with or without reasonable accommodation. Consistently following this simple rule will drastically reduce any employer's potential exposure to employment litigation.
2. Before hiring an employee, ensure that the candidate has completed an application, and follow-up with the applicant's references. While some employers will refuse to discuss former employees, at least ask if the applicant is eligible for re-hire. If not, be sure to discuss the reasons with the applicant. Although contacting every applicant's



references may be time consuming, an ounce of prevention is worth a pound of cure.

3. Develop and implement employment policies and procedures that forbid discriminatory practices and follow them consistently. If your policies are contained in a handbook or similar document, make sure that every employee signs an acknowledgement that they have received, read, and understand the policies. Particularly in sexual harassment and hostile work environment cases, a carefully crafted and well disseminated policy may be your best defense.
4. Ensure that supervisors and managers are keeping quality and up-to-date records on each employee's performance. Effective documentation should focus on factual information and be prepared at or near the time of the event documented. The documentation should be thorough and accurate, and done consistently on all employees. If you do decide to take action against an employee in a protected class, you will most likely have to prove the reasons for your action. Consistent and candid performance evaluations are usually the best way to do that.
5. When the time comes to terminate an employee, be honest about why the employee is being let go. Under Missouri law, employees are entitled to ask for a "letter of dismissal" in which the employer is required to "truly state" the reasons why the employee was fired or quit. If a supervisor or manager gave the employee a false reason at the time of the discharge, and the real reason is given in the letter of dismissal, an employee is more likely to question and challenge the dismissal. Once again, consistency is the hallmark of any effective employment litigation avoidance strategy.

As the economy continues to lag, it is unlikely that the upward trend in employment discrimination claims will reverse itself anytime soon. Although no employer can completely insulate itself from the possibility of employment litigation, the techniques discussed above can limit the exposure to litigation and provide employers with ammunition for a defense in the event a charge is filed. §

## *Making Sure You Get Paid In Hard Economic Times: Part I*

*by Joseph C. Blanner, Esq.*

It is no secret that we are living in challenging times. While we have all been impacted, no industry has been impacted more severely by this economic crisis than the construction industry. In a climate in which there are fewer jobs to work on and more contractors vying for the work, contractors and material suppliers need to take every step possible to make sure that when the



JOSEPH C. BLANNER, ESQ.

project is over, they are paid for what they have furnished.

This article is intended to provide you with some business tips and recommendations that can be implemented prior to doing the work so that you can maximize your possibility of collecting for your work or materials.

### *1. Properly Bidding Projects.*

Many mistakes on construction projects occur before any work is done. Some of these problems can be prevented by carefully preparing your bid documents. A properly prepared bid should not only include the price for performing the work, but should clearly and completely identify the work and materials that you are going to furnish and the work and materials that you are not going to furnish. The bid should include a list of exceptions and exclusions, which can prevent confusion and conflict as to your scope of work and responsibilities.

Additionally, your bid or proposal documents should indicate that they are only valid if accepted within a certain amount of time. Generally, we recommend the bid to be valid for thirty days. Including an expiration date on your bid or proposal should help protect you against escalating material or labor costs.

### *2. Get Information.*

Because there are not as many jobs to be had these days, contractors and material suppliers are anxious to take what is available to them. This often means working with owners and contractors that they have never dealt with before. While getting new customers is as important as it has ever been, it will not help your company if these new customers do not pay you for what you have provided.

Once a project has gone bad or you have not been paid, you are in a more difficult position to obtain information than when you were on good terms with the contractor and/or owner. Because of this, it is very important to get as much information about the project as you can at the outset. This information should include the legal name and contact information of the general contractor and the owner, the project address and if there is no address the lot number and subdivision name. Additionally, if it is a public project, you should request a copy of the payment bond from the general contractor. Much of this may seem unimportant. However, this is the information that you will need to provide to your attorney in the event of a problem and it will save you time and money if he or she is not

searching for the information at the last minute before the lien deadline expires.

### 3. *Make Sure Your Documents are in Order.*

We are frequently approached by a new or existing client who wants to file a mechanic's lien because they have not been paid for work or materials that they provided on a project. After researching the identity of the property owner, we determine that the contractor or material supplier was working directly for the owner. We then review the client's documents and determine that they have not given the proper "Notice to Owner". Unfortunately, this is not something that can be corrected and the contractor cannot file a mechanic's lien. It is surprising how often this scenario happens. Without a mechanic's lien, the contractor's likelihood of collection is greatly reduced. For this reason, it is extremely important to make sure that your documents include the required "Notice to Owner".

The Missouri Revised Statutes specify the exact language that must be used in order to satisfy the notice requirements. It must be printed in 10-point bold face type and must state the following:

#### NOTICE TO OWNER

**FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 429 RSMO. TO AVOID THIS RESULT YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIALS TWICE.**

While this notice requirement only applies when dealing directly with the owner, we strongly recommend that the above language be included on all contract documents and on all invoices, whether directed to the owner or not. Because legal requirements are often very technical, we recommend that you have your bid, contract documents and invoices reviewed by an attorney.

In Part II of this article we will deal with provisions that every construction contract should include. §

## *A Different Type of Classroom*

*by Summer Intern, Liz Grana*

Since I was a young child, I have always loved school. In grade school, I loved writing book reports, making the solar system out of Styrofoam balls, and shopping for school supplies at the beginning of the year. Although many people would view these interests as "nerdy," I still loved school and openly discussed my love of school to others. Thus, it was not a shock to my family and friends when I told them I wanted to attend law school.

I began law school at Saint Louis University ("SLU") in the fall of 2006. At SLU, I found other people who loved school just like me. We bonded over discussions of Judge Learned Hand and never missed an opportunity to create jokes out of legal terms used in class. We also all agreed that law school would probably be our best school experience since we would be learning about our desired profession in an atmosphere that specifically catered to our interests.

Throughout my two years at SLU, I have learned the foundations and rules of law. My professors have always been helpful and eager to assist me in my studies. I have improved my writing, reading, and analytical thinking skills in ways I could not have imagined before entering law school. I have been involved in various social and legal organizations at SLU. Despite all these wonderful aspects of my law school experience, something was missing.

I kept asking myself, "What is wrong with law school?" Finally, I discussed my feelings with a professor. I asked him a question he had heard many times before, "What is missing in my law school experience?" He quietly chuckled and responded, "Liz, it is exactly that, **EXPERIENCE**. You need to find an internship at a firm that will help you gain experience in the practice of law and apply what you learned in law school." After listening to those words, I set out to find a full-time internship this summer to provide me with legal experience.

I found the answer to what was missing in law school at Behr, McCarter, and Potter, P.C. I did not know when I accepted the position this summer that I would experience so many aspects of the law. I have been assigned medical malpractice cases to construction disputes and everything in between. While many of my classmates spent their 8 hours a day researching for firms, I have written motions for summary judgment, interviewed witnesses, and engaged in interactions with clients.

In addition to the assignments involving various legal topics, I have been provided with thirteen wonderful "professors" of law. As a third year law student, I did not expect practicing attorneys to devote much, if any, time discussing cases with me. Thus, the hair stood up on my arms and my hands began to tingle when I was asked during one of my first assignments, "Well, what do you think about this case?" Of course, the attorney knew the answer to his question, but he wanted to see my thought process and evaluation of the research I had provided. I quickly composed my thoughts and gave an answer. Then the attorney began to explain to me his evaluation and provided feed-back to my answer. These types of conversations have continued with all of the attorneys I have worked with on assignments and have not only boosted my confidence, but taught me the practical application of the law.

Besides the attorneys, the paralegals and staff have educated me on the quirks and requirements for practicing law in various

jurisdictions. They have also all welcomed me with kind words and included me in the friendly office banter.

As I prepare to begin my final year of law school, I am excited again for school to start. I anticipate an easier understanding of topics discussed in class due to my exposure with various types of law at the firm this summer. I also expect to be able to explain legal concepts and answer professors' questions better because of the conversations I have engaged in with the attorneys at the firm. I have learned what I needed to fill the void in my law school experience and I learned it from a different type of classroom. §

## News and Announcements

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### April, 2009

Ed Crites was appointed the Provisional Judge of Warson Woods, a suburb of St. Louis, Missouri.

### March 23, 2009

Tony Behr successfully testified as a defense expert witness in a legal malpractice case filed by Hamid Hosseini, M.D. against his former legal counsel. Dr. Hosseini, a board-certified OB-GYN, claimed that Defendants were negligent in their defense of him in the underlying medical malpractice-wrongful death case. On March 23, 2009, a St. Louis County jury returned a verdict in favor of Defendants.

### February 12, 2009

Groundbreaking Ceremony! The Sisters of the Most Precious Blood in O'Fallon, Missouri began the renovation of their motherhouse to create 60 senior living apartments and a skilled nursing facility. The project will be completed in 2010 and will be open to the public. Gerry Hempstead is their property planning consultant and helped the Sisters develop the plan and obtain the financing and the tax credits to make this possible.

### February 9, 2009

Defense Verdict! On February 9, 2009, Steve Potter successfully defended a surgeon in the case of *Barbara Smith v. Dr. Robert Prophete, M.D.* A city of St. Louis jury returned a defense verdict in this medical malpractice case against a surgeon for allegedly performing an unnecessary procedure and perforating the plaintiff's ureter, resulting in permanent kidney damage. Mr. Potter successfully argued on behalf of the surgeon that the procedure was appropriate and that perforation of the ureter was a known risk and potential complication of the procedure.

### January 29, 2009

Appellate Win! *The United States of America for the Use of Lighting and Power Services, Inc. v. Interface Construction Corp.* in the United States Court of Appeals for the Eighth Circuit. Joseph C. Blanner represented the electrical sub-subcontractor on government renovation project brought action under Miller Act against contractor, subcontractor, and surety that issued

contractor's payment bond to recover amount due for unpaid labor and materials furnished on project. The United States Magistrate Judge and the United States District Court for the Eastern District of Missouri denied the contractor's motion to compel arbitration and the contractor appealed.

The Court of Appeals, held that: (1) question of whether sub-subcontractor was bound by subcontract's arbitration agreement was for court, not arbitrator, to decide; (2) ambiguous statement in sub-subcontractor's proposal to subcontractor was not express agreement by sub-subcontractor to arbitrate future Miller Act claims on payment bond subsequently issued to contractor; and (3) sub-subcontractor was not equitably estopped from refusing to arbitrate its Miller Act claim.

### January, 2009

Attorneys W. Dudley McCarter and Anthony R. Behr were selected for inclusion into the The Best Lawyers in America® 2009. Attorney W. Dudley McCarter was selected by his peers for his work in commercial litigation. Attorney Anthony R. Behr was selected by his peers in the areas of Medical Malpractice Law, Personal Injury Litigation and Product Liability Litigation.

### Defense Verdict!

*Roxane Delmain v. Scott H. Johnson, M.D.* On August 29, 2008, a St. Louis County Circuit Court jury returned a defense verdict on a medical malpractice case against a doctor seeking over \$4 million in damages for allegedly lagging in ordering open heart surgery. Behr, McCarter & Potter, P.C. attorneys Thomas J. Hayek and Timothy J. Reichardt defended Doctor Scott H. Johnson.

### Appellate Win!

On July 26, 2008, Ed Crites won the case of *Lorton v. Hudgens* in the Missouri Court of Appeals, Eastern District. In that case, an attorney represented a trustee in an action for an accounting and to remove the trustee. The trust gave the trustee authority to hire and to pay professionals, including attorneys. After the attorney accepted payment of his fee from trust assets without first obtaining court approval, plaintiff sued the attorney for repayment. There was no question that the legal work was performed and the bill was reasonable.

After the trial court dismissed claim against the attorney because there was no cause of action against him on that basis, plaintiff appealed. The court of appeals upheld the dismissal because the trust had authorized the trustee to make payments without court approval. Moreover, we successfully argued to the court that, if plaintiff's theory was recognized, attacking payment of attorney fees would become a standard tactic used in suits against trustees. The result would be that trial courts would be called upon to closely scrutinize all payments of professional fees by trustees, which is a burden the court should not undertake.

### **Appellate Win!**

*Lim v. Jeffers*, No. ED 90127: The Missouri Court of Appeals for the Eastern District affirmed the Circuit Court of St. Louis County's Order dismissing appellant's cause of action. On April 15, 2008, Behr, McCarter & Potter, P.C. attorneys Anthony R. Behr and Timothy J. Reichardt were counsel for Respondent.

### **Appellate Win!**

*Schultz v. Warren County*, Court of Appeals for the Eastern District of Missouri: LaFarge North America Inc. submitted an application to Warren County for a conditional use permit to operate a proposed asphalt and/or concrete plant on its property, pursuant to the County's zoning ordinances. The Planning and Zoning Commission, after public hearing, voted to approve LaFarge's application for a conditional use permit. Mr. Schultz, who owns property near that of LaFarge, filed a protest with the Warren County Commission, challenging the approval of the permit. The County Commission held a public hearing on Mr. Schultz's protest and then voted to deny Mr. Schultz's protest.

The Circuit Court, Warren County, granted LaFarge's Motion to Dismiss Schultz's petition for review with prejudice, and Schultz appealed. The Court of Appeals held that property owner's challenge to the denial by County Commission of his protest against approval of application for conditional use permit was not ripe for judicial review. On April 15, 2008, LaFarge was represented by Dudley McCarter and Joseph C. Blanner.

### **Appellate Win!**

*Intermed v. Paul*, No. ED 90179: The Missouri Court of Appeals for the Eastern District affirmed the Circuit Court of St. Louis County's Order granting summary judgment to Respondent Intermed Insurance Company. On March 11, 2008, Behr, McCarter & Potter, P.C. attorneys Richard J. Behr and Timothy J. Reichardt were counsel for Respondent.

### **Appellate Win!**

*The Lee Deering Elec. Co. v. Pernikoff Const. Co.* The Missouri Court of Appeals for the Eastern District of Missouri. Ammonia Master Refrigeration Ltd. (hereinafter, "Ammonia Master") filed a plea in intervention against property owner St. Louis Mills Limited Partnership to foreclose on a mechanic's lien it had filed against a subcontractor. St. Louis Mills filed a motion for judgment on the pleadings, which was granted by the St. Louis County Circuit Court and Ammonia Master appealed.

The Court of Appeals, affirmed on January 29, 2008 that finding that: (1) Ammonia Master's failure to attempt to serve subcontractor with process barred it from recovering on mechanic's lien it had filed against subcontractor, and (2) Ammonia Master's petition omitted an essential element of its claim against the

Mills for unjust enrichment, thus justifying dismissal of claim. Dudley McCarter and Joseph Blanner represented respondent St. Louis Mills. §

## **Meet Our Attorneys: Joseph C. Blanner**



JOSEPH C. BLANNER, ESQ.

Joe joined the firm in 2003 and focuses his practice primarily on construction law, municipal law and commercial and general civil litigation. Joe represents property owners, design professionals, general contractors, subcontractors and materials suppliers in contract negotiations, project execution, collections and litigation. Joe also practices in the real estate area negotiating property purchases,

commercial leases and represents a variety of subdivision homeowner's associations. Joe is admitted to practice in the Missouri Circuit Courts, the U.S. District Court for the Eastern District of Missouri and the 8th Circuit Court of Appeals.

Joe obtained his B.S. in Public Administration from the University of Missouri-St. Louis in 1998. Joe graduated from St. Louis University School of Law with a J.D. and a M.D. in Public Administration in 2001. While he was in law school, Joe interned with the Citizens for Modern Transit and the St. Louis County Counselor's Office.

Joe is actively involved in the community, having served on the Board of Directors for Providence Christian Academy, a K-12 Classical Christian School, from 2002 to 2008 serving as a Deacon at Heritage Presbyterian Church from 2002 to 2006 and having served on the Utility Review Board for the City of Eureka.

Joe was elected as a Board Member to Lay Renewal Ministries and currently serves as a Member of the Missions Committee for Spring Hills Presbyterian Church (PCA). He and his wife, Jessica, reside in Eureka with their four children: Joseph, Samuel, Grace and Sarah.

Joe's legal assistant is Leah Walsh (EXT. 235). You may contact Joe at (314) 862-3800 EXT. 234 or at [jblanner@bmplaw.com](mailto:jblanner@bmplaw.com). §

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