

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT
DIVISION TWO

MILLER’S CLASSIFIED INSURANCE COMPANY,)	No. ED92306
)	
Appellant,)	Appeal from the Circuit Court of Jefferson County
)	
vs.)	Cause No. 07JE-000642
)	
AIMEE J. FRENCH, A MINOR, BY AND THROUGH HER NEXT FRIEND, SUSAN K. FRENCH AND JAMES FRENCH, ROBERT WALLACE AND LISA MARIE WALLACE, A MINOR, BY AND THROUGH HER NEXT FRIEND ROBERT WALLCE AND AMERICAN FAMILY MUTUAL INSURANCE COMPANY,)	Honorable Robert G. Wilkins
)	
Respondents.)	Filed: July 21, 2009
)	

Miller’s Classified Insurance Company (hereinafter, “Miller’s”) brought this declaratory judgment action to determine whether the exclusionary provisions of its insurance policy relieved it from any duty to defend and provide coverage to its named insured, Robert Wallace (hereinafter, “Father”), for a claim involving a single vehicle accident wherein his daughter was driving. Following discovery, both parties asserted there were no genuine issues of material fact in dispute and each sought summary judgment. The trial court granted summary judgment in favor of Father, finding the provisions of the insurance policy were ambiguous. Miller’s brings this two point appeal.

AFFIRMED.

Division Two Holds: (1) The undefined term “any person” is ambiguous in the context of the entire policy. (2) The policy language provides coverage for any family member driving any automobile.

Opinion by: George W. Draper III, J.

Roy L. Richter, P.J., and
Lawrence E. Mooney, J.,

Attorneys for Appellants: Denis C. Burns
Attorney for Respondents: Robert J. Wulff
John D. Rayfield
George J. Miller

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