

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT
DIVISION TWO

GAMAL ANANI AND JUDY ANANI,)	No. ED99158
)	
Plaintiffs/Respondents,)	Appeal from the Circuit Court of
)	St. Louis County
vs.)	
)	Honorable Mary Schroeder
MARK GRIEP,)	
)	
Defendant,)	Filed: August 6, 2013
)	
COLT INDUSTRIES, INC.,)	
)	
Garnishee/Appellant.)	

Colt Industries, Inc. (“Employer”) appeals from the judgment of the Circuit Court granting Gamal and Judy Anani’s motion for judgment against Employer as garnishee, holding Employer liable for failing to garnish twenty-five percent of Mark Griep’s (“Employee”) earnings. Employer contends the lower court erred in entering judgment against it and failing to award it costs and attorney’s fees, because it properly withheld Employee’s earnings as head of a family pursuant to the language set out in section 525.030 RSMo 2000.

REVERSED AND REMANDED.

DIVISION TWO HOLDS: Because Employer was summoned as a garnishee and withheld Employee’s earnings pursuant to section 525.030, it was not required to obtain from Employee a verified request for the head of family exemption. Employer is entitled to an award of attorney’s fees and costs incurred at both trial and appellate level. Pursuant to Rule 90.12.

Opinion by: Lisa S. Van Amburg, J.
Kathianne Knaup Crane, P.J. and Mary K. Hoff, J. concur.

Attorney for Appellant: Thomas Stewart, Sarah Kuehnel co-counsel

Attorney for Respondents: Timothy Philipp, Christopher Basler co-counsel

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.
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