

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

JOHN GUIDRY, SIMUL-VISION CABLE )	No. ED93211
SYSTEMS, LTD and GUIDRY CABLE )	
VISION MANAGEMENT COMPANY, )	
Appellants, )	
)	
vs. )	
)	
CHARTER COMMUNICATIONS, INC., )	Appeal from the Circuit Court of
CHARTER COMMUNICATIONS ENT. 1, )	the City of St. Louis
LLC, BAUMAN PROPERTY CO., and )	
U.B.S. REALTY INVESTORS, LLC, )	
Defendants, )	
)	Honorable Steven R. Ohmer
and )	
)	
SEVEN TRAILS WEST, LLC, d/b/a 500 )	
SEVEN TRAILS DRIVE INVESTORS, )	
L.L.C., Respondent/Cross-Appellant. )	Filed: April 27, 2010

**OPINION SUMMARY**

John Guidry, Simul-Vision Cable Systems, Ltd., and Guidry Cable Vision Management Co. (collectively, “Simul-Vision”) appeals the trial court’s judgment granting in part Seven Trails West LLC’s motion for summary judgment and awarding Simul-Vision damages following this court’s remand for a new trial on the issue of damages. Seven Trails cross-appeals the trial court’s award of damages to Simul-Vision, arguing that the trial court applied the wrong measure of damages.

REVERSED AND REMANDED.

Division Two holds: The trial court exceeded the scope of the court’s mandate on remand because it did not conduct a new trial on damages.

Opinion by: Patricia L. Cohen, J. Sherri B. Sullivan, P.J., and Robert G. Dowd, Jr., concur.

Attorney for Appellants: Anthony G. Simon

Attorney for Respondent/Cross Appellant: Michael A. Clithero

**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.**