

MISSOURI COURT OF APPEALS EASTERN DIVISION

OPINION SUMMARY

CAROL EDMONDS,	)	No. ED94897
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	
	)	
BARRY HOUGH, et al.,	)	Hon. Mark H. Neill
	)	
Respondents.	)	FILED: April 19, 2011

Carol Edmonds appeals the trial court’s summary judgment in favor of Barry Hough and Mary Atkins (d/b/a Home Appraisers of Greater St. Louis) on Appellant’s multi-defendant petition alleging numerous counts relating to mortgage fraud. Appellant contends that the trial court erred in that: (1) reliance is not a required element under the Missouri Merchandising Practices Act and (2) material facts are in dispute regarding causation and conspiracy.

REVERSED AND REMANDED.

DIVISION THREE HOLDS: (1) Appellant presented sufficient evidence to create a genuine issue of material fact as to whether the appraisal she purchased from Respondents violated the MPA. Appellant need not establish reliance as an element of her MPA claim. (2) Genuine issues of material fact exist as to whether (a) Appellant or the lender relied on Respondents’ appraisal in support of the mortgage loan and thus whether Respondents caused Appellant’s damages and (b) Respondents conspired with other defendants.

Opinion by: Clifford H. Ahrens, J.                      Sherri B. Sullivan, P.J., and Lawrence E. Mooney, J., concur.

Attorney for Appellant:        Alicia Campbell

Attorney for Respondent:     Robert M. Susman

**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.**