

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

CREDIT BUREAU SYSTEMS, INC., et al.,)	No. ED95062
Respondent,)
)
vs.)
)
BRENDA CARTER AND MICHAEL)
CARTER, Appellants.)
	Hon. Benjamin F. Lewis
	FILED: February 22, 2011

Brenda Carter and Michael Carter (collectively referred to as “Defendants”) appeal from the judgment in favor of Credit Bureau Systems, Inc. (“CBS”) in the amount of \$39,245.15.

AFFIRMED IN PART AND REVERSED AND REMANDED IN PART.

Division Four holds: The trial court did not err in failing to find CBS was estopped from seeking to collect the full amount billed for its services. However, the amount of the judgment was not supported by the evidence. Thus, the amount awarded by the trial court is reversed. The cause is remanded for a determination of the amount owed according to the provisions of Defendants’ out-of-network provider insurance benefits and any interest, attorney fees, and costs that may be allowed. CBS’s motion for attorney’s fees on appeal that was taken with the case is granted and the issue is remanded to the trial court to determine a reasonable award of attorney’s fees for defending this appeal

Opinion by: Robert G. Dowd, Jr., J.
Kurt S. Odenwald, P.J. and Robert G. Wilkins, Sp.J., concur.

Attorney for Appellants: Francis J. Siebert

Attorneys for Respondent: Jason C. Comstock

**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.**