Summary Judgment (and more) for Client obtained by Ania W. Moncrief

Consumer Plaintiff and her national consumer counsel sued our client alleging violations of the Fair Credit Reporting Act, Fair Debt Collection Practices Act, and Telephone Consumer Protection Act. After several months, plaintiff voluntarily dismissed her claim under the TCPA. Following written discovery and depositions, we moved to exclude the opinions of plaintiff's expert witnesses, and then moved for summary judgment on plaintiff's remaining claims.

The trial court substantially granted our Daubert motion to exclude the testimony of plaintiff's experts on damages and liability. Importantly, the trial court excluded plaintiff's expert testimony regarding hedonic ("reduction in value of life") damages, which the expert valued at $340,097 to $972,065. *Cramer v. Equifax Info. Servs.*, 2019 WL 4468945 (E.D. Mo. 2019). This ruling dramatically reduced the damages plaintiff sought by expert testimony, from almost $1 million down to $14,881.

The trial court granted our motion for summary judgment in its entirety. Cramer v. Equifax Info. Servs., 2019 WL 5188942 (E.D. Mo. 2019). The trial court then reaffirmed that decision by denying plaintiff's motion to alter or amend the judgment. *Cramer v. Equifax Info. Servs.*, 2020 WL 376289 (E.D. Mo. 2020).

After obtaining judgment as a matter of law for our client on all of plaintiff's claims, the trial awarded our client costs in the amount of $10,406.97. *Cramer v. Equifax Info. Servs.*, 2020 WL 887996 (E.D. Mo. 2020).

Plaintiff appealed the decisions granting summary judgment, refusing to alter or amend the judgment, and awarding costs. Prior to Plaintiff filing her brief, the parties settled, resulting in payment to our client.

For additional information regarding creditor's rights, please contact Ania W. Moncrief, of the Creditor's Rights & Remedies Practice Area.