

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Jason Saggio and Jude Furr v. Medcredit, Inc.

Saggio v. Medcredit · No. 4:22-CV-01005-JAR · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of Missouri denied Medcredit, Inc.’s motion to exclude Carla Peak’s expert testimony concerning class-action notice and identification of potential class members in a putative TCPA class action. The Court held that Peak was qualified, her reverse-lookup and notice methodology was reliable, and her opinions were relevant to ascertainability and manageability under Federal Rule of Civil Procedure 23. The Court relied in part on Eighth Circuit precedent recognizing call logs as objective criteria for identifying potential class members.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	John A. Ross
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	December 9, 2025
DOCKET	4:22-CV-01005-JAR
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Evidence 702 to exclude the testimony of Plaintiffs' class-notice expert, Carla Peak, in a putative nationwide Telephone Consumer Protection Act class action.
STANDARD OF REVIEW	The court applied Federal Rule of Evidence 702 and the Daubert gatekeeping standard, requiring the proponent to establish admissibility by a preponderance of the evidence while allowing attacks that go only to the weight of otherwise reliable testimony to be tested through the adversarial process.
PRECEDENTIAL VALUE	unpublished district court opinion; precedential status unknown
PARTIES	Jason Saggio, Jude Furr v. Medcredit, Inc.

TOPICS

class actions

expert testimony

daubert standard

evidence

civil procedure

PRACTICE AREAS

civil procedure

evidence

consumer protection

class actions

Telephone Consumer Protection Act

QUESTIONS PRESENTED

1. Whether Carla Peak was qualified under Federal Rule of Evidence 702 to testify about procedures for identifying potential class members and providing class notice.
2. Whether Peak's proposed notice and reverse-look-up methodology was reliable under Rule 702 and Daubert.
3. Whether Peak's testimony was relevant to evaluating ascertainability and manageability under Federal Rule of Civil Procedure 23.

HOLDINGS

1. Peak was qualified under Rule 702 to offer opinions concerning the processes and procedures for identifying potential class members and providing class notice, even though technical staff would perform the database searches.
2. Peak's proposed methodology was sufficiently reliable for admission because it had been widely accepted and implemented in class actions, including TCPA wrong-number cases, and was supported by the court's experience with similar notice processes.
3. Peak's testimony was relevant to assist the court in evaluating whether the proposed class was ascertainable and whether class treatment was manageable.

KEY QUOTATIONS

“The Court finds expert Peak qualified to opine on the best process and procedures to identify potential class members and ensure optimal notice using Defendant’s call logs and reverse look-up searches.”

“Accordingly, IT IS HEREBY ORDERED that Defendant’s motion to exclude the testimony of Plaintiff’s class notice expert, Carla Peak, is DENIED.”

“True, the subscriber ... may not be the recipient of the fax. However, fax logs showing the numbers that received each fax are objective criteria that make the recipient clearly ascertainable.” (997)

FACTUAL BACKGROUND

Plaintiffs allege that Medcredit, a medical debt collector, placed unlawful automated calls to cellphones associated with persons who did not owe the alleged medical debts. They proposed a class of persons and entities who received such calls during the relevant period at cellphone numbers not assigned to persons with past-due medical debt. Plaintiffs retained Carla Peak, an experienced class-action notice and administration professional, to explain how call logs could be used with reverse-look-up, address-verification, cross-referencing, and supplemental notice methods to identify and notify potential class members.

PROCEDURAL HISTORY

Plaintiffs moved for class certification and relied in part on Peak's proposed methodology for identifying and notifying potential class members through call records, reverse-look-up searches, and related verification procedures. Medcredit moved to exclude Peak's testimony as irrelevant, unreliable, and outside her qualifications. The court denied the motion to exclude.

DISPOSITION

other

CASES CITED

- Sandusky Wellness Ctr., LLC v. Medtox Sci., Inc., 821 F.3d 992, 996-98 (8th Cir. 2016)
- Daubert v. Merrell Dow Pharms., Inc., 509 U.S. 579 (1993)
- Kumho Tire Co. v. Carmichael, 526 U.S. 137 (1999)
- Russell v. Whirlpool Corp., 702 F.3d 450, 456 (8th Cir. 2012)
- In re Wholesale Grocery Prods. Antitrust Litig., 946 F.3d 995, 1000 (8th Cir. 2019)
- Adams v. Toyota Motor Corp., 867 F.3d 903, 914-16 (8th Cir. 2017)
- Acad. Bank, N.A. v. AmGuard Ins. Co., 116 F.4th 768, 791 (8th Cir. 2024)
- Wesley v. Snap Fin. LLC, 339 F.R.D. 277 (D. Utah 2021)
- Head v. Citibank, N.A., 340 F.R.D. 145 (D. Ariz. 2022)
- Knapper v. Cox Commc'ns, Inc., 329 F.R.D. 238 (D. Ariz. 2019)
- Miles v. Medcredit, Inc., No. 4:20-CV-1186-JAR, 2022 WL 3643669, at *2 (E.D. Mo. Aug. 23, 2022)
- St. Louis Heart Ctr., Inc. v. Vein Centers for Excellence, Inc., No. 4:12 CV 174 CDP, 2017 WL 2861878, at *1 (E.D. Mo. July 5, 2017)
- Pietoso, Inc. v. Republic Servs., Inc., 2025 WL 2643684, at *6 (E.D. Mo. Sept. 15, 2025)
- Dura Auto. Sys. of Ind., Inc. v. CTS Corp., 285 F.3d 609, 612 (7th Cir. 2002)
- Hunter v. Time Warner Cable Inc., 2019 WL 3812063, at *11 (S.D.N.Y. Aug. 14, 2019)
- Carroll v. SGS Auto. Servs., Inc., 2020 WL 7024477, at *7 (M.D. La. Nov. 30, 2020)
- Davis v. Capital One, N.A., 2023 WL 6964051, at 9 (E.D. Va. Oct. 20, 2023)
- Lee v. Andersen, 616 F.3d 803, 808 (8th Cir. 2010)