

Representative Cases

Moises Martinez and Electrotar Limitada v. Terex-RO Corporation

Lead trial counsel for a national crane manufacturer in a Kansas product liability action involving serious injury to the crane operator and destruction of the crane in Columbia, South America. A defense verdict for Terex was obtained in a Kansas state court.

Cathy Hardesty v. Tarmac Equipment Co., Inc., et al.

Lead trial counsel for a national soil remediation manufacturer and its owners in Arizona product liability action involving death of an equipment operator. A defense verdict was obtained for the manufacturer and its owners in an Arizona state court, which was affirmed on appeal.

Mackie Clemens Fuel Co. v. Anderson, Byrd, Richeson, Flaherty & Henrichs.

Lead trial counsel for an energy company in a Kansas legal malpractice action against a Kansas law firm. After trial to the court, judgment for the energy company was obtained in a Kansas state court.

Koss Construction Co. v. Caterpillar, Inc.

Lead trial counsel for a national equipment manufacturer in a Kansas product liability action involving economic loss of a vibratory roller by fire. Judgment for Caterpillar was obtained in a Kansas state court, which was affirmed on appeal (960 P.2d 255). This decision established the economic loss doctrine in the State of Kansas.

Donna Crews v. White Motor Corporation

Lead trial counsel for a national truck manufacturer in a Missouri product liability action involving the death of a truck driver. Defense verdict for the manufacturer was obtained in a Missouri state court, which was affirmed on appeal (835 S.W.2d 426).

Dwight Galda v. Parkhurst Manufacturing Co., et al.

Lead trial counsel for a gasoline container manufacturer in an Arizona product liability action involving severe burns to a military serviceman. Summary judgment for the manufacturer was obtained in an Arizona federal court.

Douglas Kinney v. Caterpillar Tractor Co.

Trial counsel for a national equipment manufacturer in a Missouri product liability action. The case involved a serious injury to a forklift operator. Defense verdict for Caterpillar was obtained in a Missouri state court.

Marsha Hedglin v. Stahl Specialty Co.

Lead trial counsel for a castings manufacturer in a Missouri product liability action involving the death of the manufacturer's employee. Summary judgment for the manufacturer was obtained in a Missouri state court, which was affirmed on appeal (903 S.W.2d 922).

Bill's Coal Co., Inc. v. Board of Public Utilities of Springfield, Missouri

Lead trial counsel for a coal producer in an Oklahoma contract action against a Missouri utility. Injunction and \$1 million judgment for the coal company were obtained in an Oklahoma federal court, which was affirmed on appeal (682 F.2d 883; 887 F.2d 242).

Associated Producers Co. v. City of Independence, Missouri

Lead trial counsel for an Oklahoma coal producer in a Missouri contract action against a Missouri utility. Injunction was obtained in a Missouri federal court (648 F. Supp. 1255; 665 F. Supp. 755). The case settled in favor of the coal producer for an amount in excess of \$4 million.

Damon Canada v. Board of Central Missouri State University and Mark Thomas

Lead trial counsel for a regional state university and a football coach in a Missouri negligence action. The case involved a student-athlete who broke his neck during a football practice. Judgment for defendants was obtained in a Missouri federal court (915 F. Supp. 145).

Derek Forsberg v. Terex Cranes Wilmington, Inc. et al.

Lead trial counsel for a national crane manufacturer in a Kansas product liability action involving a serious injury to a crane operator. The case settled with Terex paying nothing.

Dennis Kuzmic v. Fastenal Company

Lead trial counsel for a national fastener company in a Kansas negligence action involving a serious injury to a warehouse worker. Summary judgment in favor of Fastenal was obtained in a Kansas state court.

Alexandria Stimpson v. Maxium Crane Works, et al.

Lead trial counsel for an insurer and a national crane leasing company in a Missouri negligence action. The case involved the death of a worker as a result of massive crane tip-over at a power plant. The case was settled on terms favorable to the insurer and the crane leasing company.

Building Erection Services v JLG Industries, Inc. v Powerscreen, et al.

Lead trial counsel for a national equipment manufacturer/asset purchaser in a Missouri action involving a serious injury to a worker and a crane operator. The crane manufacturer, JLG, filed a third-party claim against asset purchaser Powerscreen. Summary judgment in favor of Powerscreen was obtained in a Missouri federal court, which was substantially affirmed on appeal (376 F.3d 800).

Kathy Dollens v. United Rentals (North America), Inc.

Lead trial counsel for a national equipment rental company in a Missouri products liability action. The case involved a serious injury to the scissor lift operator. The case was settled on terms highly favorable to the insurer and United Rentals.

Noahlynn O'Neil, et al v. Genie Industries, Inc.

Lead trial counsel for national equipment manufacturer in Missouri product liability action involving a scissor lift tip-over and death of the lift's operator. Genie was eventually dismissed by plaintiffs' counsel with Genie paying nothing.