

WTO Wins Four of Five Cases Tried in December

News

Dec 31, 2010

In the first week of December 2010, 20% of Wheeler Trigg O'Donnell's partners were in trial. The claims they defended involved premises liability, product liability, medical malpractice, and contract interpretation. Four of the five actions ended in victory for WTO's clients.

A Louisiana jury returned a complete defense verdict in favor of WTO's client AT&T in a premises liability case tried by John Fitzpatrick. The plaintiff, the mother of a two-year-old male, sued AT&T alleging negligence and liability for a traumatic brain injury after an advertising sign in one of its stores fell on her son. The mother took the child to the emergency room the day after the accident when he began experiencing seizures. After a failed mediation, AT&T called WTO to defend the case at trial. The jury found in favor of the defendant, claiming the mother had not supervised her child.

Ed Stewart secured a complete defense verdict from a Colorado jury in favor of WTO's client Ford Motor Company. In this product-liability case, the plaintiff brought tort, Colorado Consumer Protection Act, and punitive damage claims against Ford based on the alleged sudden acceleration of a 2005 Grand Marquis that resulted in a crash with injuries. The defense argued the crash was the result of driver error.

This case was precedent-setting for Ford as it was the first electronic throttle-control defect claim in the country that Ford had tried to verdict.

Kevin Kuhn successfully defended a Colorado heart surgeon in Denver District Court. This medical malpractice case involved injuries associated with an atrial fibrillation surgery. After a two-week trial, the jury returned a complete defense verdict in favor of the doctor.

John Vaught secured a multimillion-dollar arbitration award in favor of WTO's client, an insurance company. The arbitration arose over the disputed purchase price of a healthcare network in Indiana that the client had purchased several years ago. Following an arbitration in Chicago, the arbitrator awarded the return of the full refund amount claimed by WTO's client.

Hugh Gottschalk tried a bench trial in Colorado involving a commercial dispute arising from the dissolution of a law firm.