

SUMMARY JUDGMENT

Missouri - Watters Wolf Bub Hansmann

David Bub, Tyler Finnegan, and Augustus Hayes obtained summary judgment for their defendant clients in a lawsuit involving a wrongful death plaintiff and two serious personal injury plaintiffs with demands as high as \$6,000,000. The WWBH clients are the owner and property manager of a shopping center where, in 2020, an SUV drove from a parking space into a café, killing one and injuring others. The plaintiffs sued on the theory that it was negligent not to have bollards in front of the parking spaces facing the store. The plaintiffs hired several out-of-town consultants to assert that all parking facing commercial buildings should require

barriers. The WWBH team contended that as a fundamental matter of law, a property owner generally has no duty to protect the public from the harmful acts of third parties. The plaintiffs tried to argue around the rule, or for an exception to apply. However, after substantial discovery, extensive briefing on a summary judgment and oral argument, the court issued an order and judgment holding that the defendant had no duty to place bollards in front of the building to protect against the third party driving their vehicles into the building killing and injuring customers of the business.

FEATURED ATTORNEY(S):



David Bub

636.798.0572
dbub@wwbhlaw.com



Tyler Finnegan

636.798.0582
tfinnegan@wwbhlaw.com



Augustus Hayes

636.798.0592
ahayes@wwbhlaw.com