

COURT ENTERS JUDGMENT FOR DEFENDANT IN \$1,200,000 WRONGFUL DEATH LAWSUIT BASED ON ACCEPTANCE DOCTRINE

Missouri - Watters Wolf Bub Hansmann

Bradley Hansmann and Dan Hunkins obtained summary judgment in favor of their client in a lawsuit involving a car accident that resulted in the death of one occupant and serious injuries to two minor children. WWBH's client was a subcontractor that performed repairs to a cable barrier system along the interstate highway system in St. Charles County. The plaintiffs filed a lawsuit against WWBH's client after the plaintiff's vehicle crossed through the cable barrier system and hit oncoming traffic head on. As a result of the accident, one of the passengers died from her injuries, a minor child was ejected and suffered a serious brain injury, and an adult passenger suffered a broken bone in her arm. As a result

of these injuries, Plaintiffs demanded more than \$1,200,000 from WWBH's client. Plaintiffs alleged that the negligent repairs to the cable barrier system performed by WWBH's client permitted their vehicle to pass through the cable barrier, causing their damages. After engaging in extensive fact discovery and expert discovery, Brad and Dan filed a motion for summary judgment arguing that plaintiffs' claim was barred by the acceptance doctrine. The acceptance doctrine relieves a subcontractor of liability to third persons when their work was accepted by the general contractor. After briefing the issue and hearing oral arguments, the court granted summary judgment in favor of WWBH's client.

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