

# MISSOURI FAVORABLE JURY VERDICT DEFENDED IN MISSOURI COURT OF APPEALS



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Jim Harkins and Jeff Lester recently succeeded in defending a favorable jury verdict on appeal in the Missouri Court of Appeals – Southern District.

At trial, the plaintiff alleged severe and permanent injuries from an auto accident against our clients, a commercial motor carrier and its driver-employee. The jury declined the plaintiff's request for punitive damages against both the company and driver. The plaintiff argued that the trial court erred in excluding evidence of the employer's policies, practices, and procedures relating to driver safety and compensation.

Jim and Jeff argued at trial and on appeal that evidence of the employer's conduct was irrelevant and offered solely to inflame and prejudice the jury against the company. The Court of Appeals agreed, finding that, in the absence of a direct, independent claim of negligence against the employer, the employer's conduct is irrelevant and must be excluded, even where punitive damages are claimed.