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Sandberg Phoenix Attorneys Obtain Defense Verdict in Tragic Wrongful Death Case

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RELATED ATTORNEYS: STEPHEN STRUM

On November 9, 2011, Sandberg Phoenix attorneys, Stephen M. Strum and David Z. Hoffman, obtained a defense verdict before Judge Robert Koffman in Pettis County, Missouri. The jury trial lasted eight days and involved the crushing death of a 56 year-old over-the-road truck driver.

Immediately before his death, the decedent was standing between another tractor-trailer and a loading dock. Mr. Strum and Mr. Hoffman represented Cooperative Workshops, Inc. (CWI). One of CWI's mentally-challenged employees allegedly instructed the tractor-trailer driver that he had permission to back up. Upon backing up, the tractor-trailer pinned the decedent to the loading dock, causing his death.

The main theories against Mr. Strum and Mr. Hoffman's client included a vicarious liability claim, alleging that the mentally-challenged employee told the tractor-trailer driver he had permission to back his truck when it was unsafe, and that the employee was not properly supervised by CWI's staff. The plaintiffs were the widow, two adult children, and 92 year-old mother of the deceased.

The economic losses were approximately \$1 million, and plaintiffs' counsel asked the jury for an award of \$4.5 million. The jury ultimately determined the decedent was 100% at fault for his own death.