

## **Significant Jury Trials**

### **Michael T. VanHoecke, et al. v. Victaulic Company, et al.**

*Jackson County at Independence, MO (2018)*

Settled during jury deliberation.

### **Western Surety Co. v. T&L Zarda, Timothy Zarda and Lisa Zarda**

*Johnson County, KS (2017)*

For Western Surety in the claim by Western Surety against T&L et al for breach of contract. For Western Surety in the claim of T&L et al against Western Surety for breach of contract and negligence.

### **G&G Mechanical Constructors, Inc. v. Jeff City Industry, Inc. and Liberty Mutual Insurance Company**

*Boone County, MO (2017)*

Plaintiff verdict significantly less than demand before trial.

### **Hall et al. v. NW Fertilizer, Inc.**

*Holt County, MO (2013)*

Obtained jury verdict in favor of our client, Northwest Fertilizer, Inc. after a week trial. The case involved a misapplication of an herbicide on corn crops that damaged a portion of plaintiffs' corn.

### **Unified School District No. 228 v. Old Republic Surety Company, et al.**

*Hodgeman County, KS (2013)*

Successfully defended Old Republic Surety, Inc. in a five-day jury trial involving a breach of contract regarding the construction of running track at a local high school. At the close of plaintiff's evidence, the District Court granted Old Republic's motion for directed verdict and entered judgment in favor of Old Republic.

### **Fischer Quarries v. Western Surety Company, et al.**

*Carroll County, MO (2012)*

Following a bench trial in Ray County, Missouri, BSCR received a judgment in favor of our client, Western Surety. The claim involved a contractual dispute arising out of an indemnity agreement. The Court awarded our client the full amount requested, which included all attorney's fees and costs.

### **Schupp v. Western Surety, et al.**

*Pettis County, MO (2011)*

Successfully defended claim against surety bond.

### **The Weitz Company v. MacKenzie House, LLC, et al**

*U.S.D.C. MO (2010)*

Unanimous defense verdict and award of \$5 million on a counterclaim in a three-week jury trial involving a commercial dispute.

**America's Mortgage Banc, Inc. v. XEZ, Inc., et al.**

*Circuit Court of Cook County, IL (2009)*

Successfully represented mortgage company in jury trial seeking recovery of money lost arising out of fraudulent loans.

**The Weitz Company v. MH Washington, LLC, et al.**

*U.S.D.C. MO (2008)*

Successfully defended three-week jury trial involving a commercial dispute over condominium development.

**Walton Construction Company v. First National Insurance Company of America, et al.**

*Kansas City, MO (2005)*

Obtained a defense verdict from a panel of three arbitrators in a four-week arbitration involving construction project and claim of \$15 million.

**103 Investors v. Square D Company, et al.**

*U.S.D.C. KS (2005)*

Obtained directed verdict in a one-week jury trial involving a design defect claim of electrical equipment.

**NewCap Insurance Co. v. Employers Reinsurance Corp.**

*U.S.D.C. KS (2004)*

Successfully represented NewCap in a jury trial for recovery of \$15 million in reinsurance proceeds.

**Saxon Mortgage, Inc. v. Mortgage Plus, Inc.**

*U.S.D.C. KS (2001)*

Obtained defense verdict in trial involving mortgage loans.

**City of Leon, KS v. Faciligroup, et al.**

*District Court of Lyon County, KS (1998)*

Obtained defense verdict in trial involving construction of wastewater treatment facility.

**Mack Excavating, Inc. v. City of Topeka**

*U.S. Bankruptcy Ct., KS (1997)*

Represented contractor in trial regarding construction project.