



## Oswego, Kansas Jury Trial Concludes with Defense Verdict for Deere & Company

May 5, 2008

Member Peter Daniel (Tort litigation - Kansas City) led a successful legal team on behalf of firm client Deere & Company, in a wrongful death lawsuit. The Labette County, Kansas, jury found no fault on any party resulting in a verdict for the defense. The family of 42 year old Doug Phillips of Parsons, Kansas sought \$9 million in damages against Deere. Mr. Phillips was killed in May 2005 in an incident involving a John Deere Model 250 Skid Steer Loader. The skid steer, operated by his father, tipped over on Douglas Phillips while they were using a tree shear attachment to build a barbwire fence.

The plaintiffs' asserted that warnings in the product's warnings and instructional information was not adequate and that Deere should have incorporated other changes to alert operators to the potential for a tip over. Deere argued the warnings and instructions provided to the Operator were adequate and that the accident resulted from an improper use of the machine.

Mr. Daniel has practiced throughout his career in the field of product liability. He has also practiced extensively in the areas of premises liability and commercial litigation.

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