



# Lathrop Gage Obtains Summary Judgment in Surety Dispute

October 11, 2012

KANSAS CITY, Mo. (October 11, 2012) - Lathrop Gage LLP obtained full summary judgment on behalf of clients Populous, Inc. and The Konrath Group today in the U.S. District Court for the Western District of Missouri.

The case, Developers Surety and Indemnity Company v. Populous, Inc. et al, involved a surety dispute arising out of renovations to Arrowhead Stadium. During the project the subcontractor responsible for fabricating display cases in the "Hall of Honor" became insolvent, resulting in the surety paying the Kansas City Chiefs under the performance bond. Following payment, the surety sued the Kansas City Chiefs, Populous Inc., The Konrath Group and others claiming the defunct subcontractor had been overpaid during the project, to the detriment of the surety, and sought to recover more than \$700,000 in damages and fees. The surety claimed the firm's clients were negligent in certifying pay applications for the subcontractor. The firm filed motions for summary judgment on behalf of Populous and Konrath which were granted, absolving them of any liability.

The Lathrop Gage team for Populous included Brad Leitch (Business Litigation - Kansas City), Brian Fields (Business Litigation - Kansas City) and Mike Lee (Business Litigation - Kansas City). Konrath was represented by firm attorneys Richard Rhyne (Business Litigation - Kansas City) and Brett Coppage (Business Litigation - Kansas City).

## **About Lathrop Gage LLP:**

A full-service law firm, Lathrop Gage LLP has more than 315 attorneys in 11 offices nationwide - from Los Angeles to New York. In 2012, Chambers USA ranked Lathrop Gage's corporate, environmental, intellectual property, labor and employment, litigation, real estate and transportation teams among the best in their regions. For more information, visit [www.lathropgage.com](http://www.lathropgage.com).