

Defeated Direct Negligence and Punitive Claims and Enforced Damage Caps for Major Motor Carrier

Matthew obtained summary judgment on direct negligence, punitive damages, and application of statutory caps on non-economic damages for a major motor carrier. The plaintiff alleged that he sustained permanent injuries preventing him from being able to work the remainder of his life due to an accident involving a commercial motor vehicle. The plaintiff alleged that the motor carrier was negligent for hiring/retaining the truck driver involved in the accident and was entitled to punitive damages. The court dismissed the plaintiff's direct negligence and punitive damages claims against the motor carrier on grounds that there was no evidence that the truck driver was an unsafe driver or acted in a manner that would justify punitive damages. The court also determined, based on Matthew's arguments, that there was no evidence that the plaintiff sustained an injury that would act as an exception to Ohio's statutory caps on noneconomic damages. Based upon the court's decision, the case ultimately resolved for an amount that was a fraction of the amount request before the court's decision.

PROFESSIONALS

Matthew A. Smartnick
Partner

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