

Successfully had Claims Against a Motor Carrier Dismissed with Prejudice Based on Illinois Sup. Ct. Rule. 103(b)

The plaintiffs filed a lawsuit against our client, a motor carrier, for an alleged motor vehicle collision. The plaintiff waited almost two years to serve the defendant with a copy of the lawsuit. Amundsen Davis filed a motion to dismiss based on Illinois Supreme Court Rule 103(b) which requires plaintiffs to exercise reasonable diligence to obtain service on a defendant. While the plaintiffs tried to argue that the COVID-19 pandemic was to blame for the delay in service, we successfully argued that the plaintiffs' actions were inherently unreasonable, even with the global pandemic in place. The court ultimately agreed and dismissed the plaintiffs' claims with prejudice.

PROFESSIONALS

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