

insights

TYPES NOT MAPPED YET July 18, 2024 | TTR not mapped yet | David L. Coffman, Booker T. Shaw, Benjamin S. Harner

Thompson Coburn Product Liability Team's Appellate Win Highlighted by Law.com

Thompson Coburn's appellate win on behalf of a tool manufacturer was highlighted by Law.com, covering the Eastern District of Missouri Court of Appeals' reversal of a \$7.7 million jury verdict against the company.

Partners [David Coffman](#), [Booker Shaw](#) and [Ben Harner](#) represented tool company Stanley Fastening Systems in the successful appeal of the verdict. The appeals court agreed with Stanley's position that the trial court should have granted its motion for mistrial in the product liability case, and it remanded the case for a new trial. Stanley had argued that the opposing counsel's references to its financial status during the trial were in violation of a court order.

"It has been long established in Missouri jurisprudence that references to the size, wealth, and corporate status of a party during trial are improper when intended to arouse prejudice and not within the scope of legitimate argument," Eastern District of Missouri Appellate Judge Kurt Odenwald said.

The court agreed that references to a defendant's wealth "are likely to provoke a jury to apply the 'deep pocket' theory of liability and to enhance the size of the verdict relative to the defendant's perceived ability to pay."

Read the full article here: <https://www.law.com/2024/07/17/missouri-appellate-court-reverses-7-7m-jury-verdict-against-stanley-over-opposing-counsels-billion-dollar-company-references/>

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