

July 19, 2021

Traub Lieberman Partner Denis Farrell and Associate Jeffrey George Obtained a Summary Judgment in Favor of Client

Related Attorneys: Denis M. Farrell, Jeffrey George

Traub Lieberman Partner Denis Farrell and Associate Jeffrey George obtained a summary judgment in favor of their client, WC Vision, in a case brought before the Hartford Superior Court. WC Vision, a promoter of motor vehicle racing events, was brought into the case as a third-party defendant and all claims against them have now been dismissed. The dispute involves a pedestrian/fan who was struck by a work truck in the pit area of a Connecticut race track. Plaintiff sued the driver of the truck and the race track, alleging serious and permanent injuries to her leg. The defendant driver then commenced a third-party action against WC Vision for common law indemnification. The driver sought to establish that WC Vision was liable under a common law negligence theory to indemnify him for any potential award of damages to the Plaintiff.

The defendant driver alleged that WC Vision was negligent in its management of crowd control and the event space in which the accident occurred. In granting WC Vision's summary judgment motion, the court determined that the defendant driver was the "direct, immediate cause of the accident", and that he, as the operator of the vehicle, could not be passively negligent in causing the accident. The court further determined that, as the operator of the vehicle, the driver defendant was exclusively in control of the vehicle and its movements, not WC Vision. The defendant driver is appealing the decision. In addition, WC Vision's is continuing its cross-claim against the race track defendant in an attempt to recoup defense costs.