

■ \$4 MILLION SETTLEMENT

Family settles after deadly motorcycle crash

Motor Vehicle Collision, Wrongful Death

- Venue: Phelps County Circuit Court
- Case Number/Date: 14PH-CV01575
December 31, 2015
- Judge: Jon Beetem
- Plaintiff's Experts: Bruno Schmidt (Accident Reconstruction); John Ward (Economics); Dr. Mitch Mullins (Life Care Planning); Terry Cordray (Vocational Rehabilitation); David Seaton (Psychology)
- Caption: Gary Morrow, Michael Shields, Christina Scantlin, L.C. Ramsey Jr. and Mary Gibson-Weller v. Bakomax Inc. d/b/a/ Arbor Row and Derek S. Robertson
- Plaintiffs' Attorneys: A.W. Smith, The AW Smith Law Firm, Columbia (for Morrow, Shields and Scantlin); Joseph L. Goff, Reeves & Goff, Farmington (for Ramsey and Gibson-Weller)
- Defendants' Attorney: Michael Hamlin, Pitzer Snodgrass, St. Louis

By Scott Lauck
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A deadly motorcycle accident in Phelps County resulted in a settlement totaling \$4 million for the family of the couple in the crash.

On June 26, 2014, Gary Morrow and his wife, Linda, were driving a 2006 Harley Davidson on a two-lane highway near St. James. In a lawsuit, the plaintiffs alleged that a tree-trimming bucket truck in the oncoming lane made a sudden left-hand turn in front of the motorcycle.

The motorcycle collided with the bucket truck near the passenger door in a relatively low speed collision. Nonetheless, Linda Morrow was thrown underneath the right rear of the truck and was killed instantly. Gary Morrow struck the side of the truck and was injured.

Linda Morrow's survivors filed a lawsuit in

October 2014 against Bakomax, the Osceola-based tree-trimming service, claiming the driver of the truck, Derek S. Robertson, had been negligent and that the company was vicariously liable.

According to court records, the defendants had a \$1 million primary liability policy with EMC Insurance and a \$3 million excess policy through CNA Insurance. A.W. Smith, an attorney for Linda Morrow's two adult children, Michael Shields and Christina Scantlin, said the plaintiffs globally made several pre-suit demands to settle the claims for the policy limits. Over the next 15 months, the parties engaged in discovery and depositions. Smith said the settlement was reached in November following the deposition of the bucket truck's driver. The case had been scheduled to go to trial in December.

Joseph L. Goff of Reeves and Goff in Farmington represented Linda Morrow's

parents, L.C. Ramsey Jr. and Mary Gibson-Weller, who intervened in the suit.

Judge Jon Beetem, a Cole County circuit judge who was appointed to oversee the case, approved the wrongful death settlements on Dec. 31, according to court records.

Michael Hamlin, a Pitzer Snodgrass attorney representing the defendants, didn't return a call seeking comment.



A.W. Smith and The AW Smith Law Firm had 5 of the Top Plaintiff Wins, in Missouri in 2015, more than any other firm.