

GREATER KANSAS CITY JURY VERDICT SERVICE

VOLUME LXI , No. 30

Week of October 28, 2024

JACKSON COUNTY, MISSOURI - INDEPENDENCE

1. **Snider v. Axiom - The Oaks, L.P.**

Docket #: 2216-cv09326

Judge: James F. Kanatzar Div. 5

Plaintiff's Attorney: William C. Kenney (Bill Kenney Law Firm)

Defendant's Attorney: Bradley S. Russell and Jenifer W. Svancara (Sanders Warren & Russell)

Type of Claim: Slip and fall. Plaintiff, female age 61, slipped and fell on ice at her former apartment complex, Axiom - The Oaks, in Lee's Summit on February 18, 2019. The weather had been snowy and Plaintiff fell where the parking lot meets the sidewalk and brought suit for injuries sustained. Defendant maintained that the weather was so bad it was difficult to keep up with snow removal. Defendant stated the Plaintiff fell in an area between cars where snow accumulated after occupants brushed the snow off their vehicles. Defendant claimed Plaintiff failed to keep a careful lookout and failed to walk in an attentive manner. Defendant alleged Plaintiff was partially at fault because she was carrying an empty laundry basket.

Damages Alleged: Fracture of the left arm at the tip of the radius at the wrist; fracture of the tip of the radius and ulna at the elbow resulting in surgery requiring a plate in the wrist, 7 screws and 2 pins; 2 pins in the radius near the elbow; 2 pins in the humerus near the elbow; 2 external fixation rods and dislocated elbow (\$84,432.10 medical expenses billed, \$21,139.18 medical expenses paid; and \$8,175.20 lost income).

Plaintiff's Experts: Videotape deposition of Kevin Witte, DO (treating surgeon).

Defendant's Experts: Bryan Busby (meteorologist) and videotape deposition of Garrett Nicol, PT (treating physical therapist).

Demand Before Trial: \$250,000 withdrawn.

Offer Before Trial: \$150,000.

Verdict: Plaintiff found 10% at fault; Defendant found 90% at fault. Damages evaluated at \$300,000 - net recovery to Plaintiff \$270,000.