

NEWS & INSIGHTS

ALABAMA SUPREME COURT AFFIRMS SUMMARY JUDGMENT IN FAVOR OF LIGHTFOOT CLIENT HUNTER SAFETY SYSTEM

September 18, 2018

BIRMINGHAM, Ala. (September 19, 2018) — The Alabama Supreme Court recently affirmed a summary judgment award in favor of Lightfoot, Franklin & White LLC client Hunter Safety System, Inc.

The product liability case involved the hunting-related death of a minor, whose Hunter Safety System harness strap caught under the wheel of an all-terrain vehicle. During a two-day summary judgment hearing, Lightfoot's team presented considerable evidence demonstrating that the plaintiffs failed to meet the burdens of proof for their design defect and warnings claims. They also presented evidence that the sole proximate cause of the minor's death was the intentional misuse of the product, parental negligence, and/or negligence *per se* for direct violation of Alabama law in allowing a child to hunt alone without supervision.

The trial court entered summary judgment in favor of Hunter Safety System, and the Alabama Supreme Court affirmed the decision, without opinion, on September 13. The matter was handled by Lightfoot attorneys **Lee M. Hollis**, **Terry W. McCarthy**, **Henry J. Gimenez** and **Liz H. Huntley**, along with Barry B. Sutton of Clark Hill PC in Birmingham, Michigan.

The case is *Jeremy Bradberry and Valerie Nelson v. The Hunter Safety System, Inc.* (Appeal from Chilton Circuit Court: CV-12-900172).