ATV Accident – Defense Verdict

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Christina S. Cassidy and Francine L. Klarsfeld recently obtained a defense verdict following a jury trial in the Judicial District of Rockville of the Connecticut Superior Court. At the time of the accident, the defendant was operating an ATV, which was pulling the plaintiff on a snow tube. The plaintiff claimed that the defendant negligently operated the ATV, causing the plaintiff to collide with a chain-link fence. At trial, the plaintiff presented a post-accident written statement of the defendant, wherein the defendant admitted he was traveling too fast. Attorneys Cassidy and Klarsfeld argued that the plaintiff was a willing participant in this activity, and that the collision was a mere accident, for which nobody was at fault. The defense emphasized that the defendant had done approximately 14 loops with the ATV with no issues, immediately prior to the accident. In closing arguments, the plaintiff's attorney highlighted the plaintiff's ongoing injuries and extensive scarring, and asked the jury to award the plaintiff in excess of $800,000.00. However, the jury concluded that the defendant was not negligent, and returned a verdict in favor of the defendant.

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