

# Tom Marjerison Wins Defense Verdict

On September 14, 2017, following a week-long trial in Knox County Superior Court, [Tom Marjerison](#) obtained a defense verdict in *Howard v. Viking, Inc.* This case arose out of automobile/motorcycle accident. Plaintiff was operating his motorcycle southbound on Route 1 when Co-Defendant Andrew O'Brien pulled out of the Defendant's parking lot and caused a collision. O'Brien settled the claim against him for \$50,000 and Defendant claimed apportionment of liability under 14 M.R.S. § 163.

Plaintiff claimed the layout of the Defendant's parking lot and the contour of the land made the parking lot exit unreasonable dangerous due to a stone retaining wall that blocked the line of sight. Defendant made an Offer of Judgment of \$200,000 prior to trial. Plaintiff's total medical bills were \$234,310, Plaintiff sought \$1,224,220 in loss of earning capacity, and also claimed significant permanent impairment. The jury returned a 7-2 defense verdict after one day of deliberation.

[Tom Marjerison](#) is a Partner in the firm's litigation group and regularly tries civil and criminal cases in state and federal court.