

WHD won on summary judgment in a case stemming from allegations that its manufacturer client was liable to a plaintiff injured by an improperly pressurized storage tank made by one of the client's employees at work during personal time. The plaintiff sought recovery from WHD's client under theories of negligence and vicarious liability as the employer. Although summary judgment in negligence cases is rare, WHD convinced the trial court that there was no factual basis for holding its client negligent under any theory, and the entire case was dismissed. After the appeals court upheld the dismissal, the plaintiff sought review from the Wisconsin Supreme Court. Focusing on the issue of foreseeability in a negligence case, the Supreme Court affirmed the trial court's decision and the Court of Appeals decisions in all respects. For more information, contact Jack Laffey at 414-978-5441 or jlaffey@whdlaw.com.



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professional malpractice

WHD was retained as appellate counsel by an insurer and its insured (an accounting firm) in a third-party accounting malpractice case after a state court jury had returned a \$2.6 million verdict, which, with statutory interest, became a \$3.6 million judgment. The plaintiff's bank made loans to the accountants' now-bankrupt client, ostensibly in reliance on reviews performed by the accountants. WHD substituted as counsel for the insurer before the trial of a companion federal case, which the bank brought as assignee of its bankrupt client seeking an additional \$5 million in damages from the accounting firm. The combination of the appeal in the state case and artful preparation of witnesses and handling of insurance policy issues in the federal trial led to a favorable global settlement during trial. For more information, contact Barbara J. Janaszek at 414-978-5447 or bjanaszek@whdlaw.com.



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