

**Ray C. Freudiger and David J. Oberly secured a significant victory in the defense of a commercial vehicle wrongful death action at both the trial court and appellate court levels.**

In *Berry v. Paint Valley Supply LLC*, 4th Dist. Highland No. 16CA0019, 2017-Ohio-4254, the plaintiff was estate of an 18-year old woman who was struck and killed by a commercial truck that was backing up an access ramp to deliver product at a grain receiving business facility at the same time at the same time the plaintiff traversed onto the ramp. Ray and David represented the driver of the commercial vehicle, as well as the vehicle's owner. Midway through the four-day jury trial, the trial court entered a direct verdict in favor of the owner of the commercial vehicle. At the conclusion of the lengthy trial, the jury returned a defense verdict in favor of the vehicle's driver. In doing so, the jury found that Ray and David's client was not in any way negligent in the operation of his commercial truck on the business's premises on the day of the accident. Following trial, Ray and David successfully defeated the estate's post-trial motion for judgment notwithstanding the verdict and motion for new trial, which the estate appealed. On appeal, the Fourth District affirmed the proceedings at the trial court level in their entirety, upholding the jury's verdict that the decedent—and not Ray and David's client—was wholly responsible for the decedent's injuries and resulting death.



[Ray C. Freudiger Attorney Biography](#)

[David J. Oberly Attorney Biography](#)