

Mississippi Attorney Kathryn Breard Platt Prevails on Appeal in Trucking Case

Kathryn Breard Platt of our Mississippi office recently prevailed in an appeal before the Mississippi Court of Appeals in a trucking case involving a catastrophic injury. In *Dillon v. PiCo*, Dillon failed to timely answer PiCo's Requests for Admissions. Several months later, PiCo moved for summary judgment based in part on those admissions. In response to the Motion for Summary Judgment, Dillon argued that PiCo never deposed plaintiffs, Dillon's expert had not yet finalized opinions and PiCo never provided its truck for inspection. PiCo responded, pointing out that PiCo was not required to depose plaintiffs, Dillon never disclosed any experts and Dillon never requested inspection of PiCo's truck. PiCo further argued Dillon did not address the deemed admissions or move to withdraw those admissions. The trial court granted summary judgment. On appeal, Dillon argued the trial court acted in a "Draconian" fashion when it upheld the admissions and granted summary judgment. The Mississippi Court of Appeals disagreed and affirmed the dismissal of PiCo. While Requests for Admissions are often an untapped discovery resource, the opinion underscores their potential import when it comes to establishing critical facts for summary judgment. Read the opinion here: <https://courts.ms.gov/Images/HDList/..%5COpinions%5CC0124051.pdf>

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