

Love and Bailey Win Summary Judgment

Judge Ben Fuller of the Elmore County Circuit Court recently granted summary judgment in favor of a Rushton Stakely client represented by J C Love and Evans Bailey. The case involved a collision between two tractor-trailers. At issue was whether the Plaintiff could recover loss of use for his downtime. J C and Evans were able to show that the Plaintiff did not have insurance on his tractor-trailer at the time of the accident and argued that this barred the Plaintiff's recovery of loss of use damages. Judge Fuller agreed and granted summary judgment on September 19, 2017. The case is styled *Missildine v. Davis*, Elmore County CV-2016-900198.