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## And The Defense Wins

### Anthony M. Catanzarite and Brian D. Sullivan



DRI members [Anthony M. Catanzarite](#) and [Brian D. Sullivan](#) of Reminger Co., L.P.A. in Cleveland, Ohio, successfully obtained summary judgment for a regional construction company client in a wrongful death case involving the deceased plaintiff's collision and explosion with a fully loaded

gasoline tanker. The plaintiffs claimed alleged malfunctions and/or improper sequencing of the subject traffic signal and/or design of the intersection proximately caused the accident.

The trial court agreed with the defendant that there was no evidence that the design of the intersection, programming and/or design of the traffic signal proximately resulted in the decedent's death. Attorneys Sullivan and Catanzarite also successfully handled the matter through affirmation in the Third District Court of Appeals and the Ohio Supreme Court's rejection of the plaintiffs' continued attempts to appeal the granting of summary judgment.

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*The Daubert Compendium-2011*



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