Federal Court Trial Results in Success for Quarry

July 16, 2008

A federal jury awarded firm client Martin Marietta Materials over $468,000 last week for damages caused when Greenwood closed its streets to trucks traveling to and from its Greenwood quarry. The City of Greenwood passed an ordinance which prohibited trucks from using city streets to travel to and from the quarry. This was the most direct route. The roads were closed for eleven months before Martin Marietta had obtained a temporary injunction prohibiting enforcement of the ordinance. A non-jury trial that preceded the jury trial resulted in a permanent injunction order which enjoins Greenwood from prohibiting trucks from using its streets for travel to and from the nearby quarry.

Member R.B. Miller (Tort - Kansas City) led the successful Lathrop Gage legal team in this matter, establishing that the ordinance cost the client lost management fees and lost profits because the trucks had to transport product over a longer route. The jury deliberated for more than five hours Tuesday and Wednesday before returning the award. The client is extremely pleased with the result.

Mr. Miller has tried numerous jury and non-jury trials in Missouri and Kansas state courts and federal courts. He has also handled appeals in both the state and federal courts of appeal.

About Lathrop Gage:
A leading Midwest full-service law firm, Lathrop Gage L.C. has approximately 300 attorneys in 10 offices nationwide - from Denver, Colo. to New York, New York. In 2007, *Chambers USA* ranked Lathrop Gage's corporate, environmental, intellectual property, litigation, real estate and labor and employment teams among the best in the Midwest. For more information, visit www.lathropgage.com.