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# Sandberg Phoenix Attorneys Win Appeal at Eighth Circuit in *Dunn v. Nexgrill*

NEWS & EVENTS: CLIENT WINS

PRACTICE GROUP: PRODUCTS LIABILITY, BUSINESS LITIGATION

RELATED ATTORNEYS: PETER VON GONTARD, TIMOTHY SANSONE

Sandberg Phoenix attorneys Peter von Gontard and Tim Sansone obtained the Eighth Circuit's decision affirming summary judgment in the *Dunn v. Nexgrill* product liability case.

In this case, a fire occurred at the plaintiffs' home in Cedar Hill, Missouri, on August 24, 2006. Plaintiffs alleged the fire was caused by a defect in the routing of a propane hose on their barbecue grill manufactured by Nexgrill.

Nexgrill successfully moved to strike the testimony of the plaintiffs' mechanical engineer for conducting faulty experimentation, and to limit the testimony of plaintiffs' fire investigator and electrical engineer to the issue of the fire's cause and origin. Nexgrill then sought and obtained summary judgment, arguing plaintiffs' lack of a defect expert precluded them from proceeding.

Plaintiffs appealed the striking of their mechanical engineer and the granting of summary judgment in favor of Nexgrill. The Eighth Circuit found no reversible error and affirmed the lower court's rulings.