In the Missouri Court of Appeals
Eastern District
DIVISION TWO

LISA HEARN AND DANIEL HEARN,	)	No. ED108315
	)	
Appellants,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
vs.	)	
	)	Honorable Annette Llewellyn
ABF FREIGHT SYSTEM, INC.,	)	
	)	
Respondent.	)	FILED: August 11, 2020

Lisa and Daniel Hearn ("the Hearns") appeal from the trial court's judgment following a jury verdict in favor of ABF Freight System, Inc. ("ABF") on the Hearns' claims for negligence and loss of consortium arising out of a motor vehicle accident. In Point One, the Hearns allege the trial court erred in denying their motion for a directed verdict given ABF's vicarious liability under the doctrine of logo-liability. In Point Two, the Hearns argue the trial court erred by instructing the jury that the Hearns had the burden of proving the agency relationship between ABF and the truck driver causing the accident because such instruction was inconsistent with the logo-liability doctrine.

AFFIRMED.

DIVISION TWO HOLDS: Because the logo-liability doctrine only applies to carrier-lessees and the record reveals no evidence that ABF operated as a carrier-lessee, the doctrine is inapplicable in this case, and the trial court correctly denied the motion for a directed verdict and correctly declined to instruct the jury on the logo-liability doctrine. Accordingly, we affirm the judgment of the trial court.

Opinion by: Kurt S. Odenwald, Judge
Philip M. Hess, P.J., and Lisa P. Page, J., concur.

Attorneys for Appellants: Brian M. Wendler and Angie M. Zinzilieta

Attorneys for Respondent: John Kemppainen, Jr., Susan M. Herold, and Debbie S. Champion

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