

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT
DIVISION ONE

JEANNE MOORE and MONTY MOORE,)	ED92770
Appellants,)	Appeal from the Circuit Court of
v.)	the St. Louis County
FORD MOTOR COMPANY,)	Hon. Mark D. Seigel
Respondents.)	FILED: December 22, 2009

OPINION SUMMARY

Jeanne and Monty Moore (“Appellants”) appeal from the trial court’s grant of a directed verdict in favor of defendants Ford Motor Company (“Ford”) on Appellants’ failure to warn claims, and the judgment entered in favor of Ford on the remaining claim. Appellants claim five points on appeal: first, the trial court erred in granting Ford’s motion for a directed verdict on their failure to warn claims because Appellants made a submissible case; second, the trial court erred in admitting Ford’s “state of the art” evidence; third, the trial court erred in admitting testimony from Ford’s expert, Catherine Corrigan; fourth, the trial court erred in limiting Appellants’ cross-examination of Ford’s expert, Dr. Harry Smith; and fifth, the trial court erred in denying Appellants’ motion for a new trial based on cumulative errors.

AFFIRMED

DIVISION ONE HOLDS: (1) The trial court did not err in sustaining Ford’s motion for a directed verdict on Appellants’ failure to warn claim, since Appellants did not make a submissible case on the evidence. (2) The trial court did not abuse its discretion in admitting Ford’s “state of the art” evidence, particularly since it gave the jury a limiting instruction. (3) The trial court did not abuse its discretion in admitting Dr. Corrigan’s testimony because she did not testify as a medical expert but limited her testimony to her expertise as a biomechanical engineer. (4) The trial court did not abuse its discretion in limiting Appellants’ cross-examination of Ford’s expert, Dr. Smith, because their questions were beyond the scope of his direct examination. And (5) the trial court did not err in denying Appellants’ motion for a new trial based on cumulative errors since none of their allegations resulted in errors either singly or in combination with each other.

Opinion by: Nannette A. Baker, J.

Kathianne Knaup Crane, P.J. and Clifford H. Ahrens, J., concur.

Attorney for Appellant: Randall Rhodes, Christopher Stucky, and Benjamin Fields
Attorney for Respondent: Dan Ball, Stephen Strauss, and Molly Jones

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.