



News

Trial Spotlight: Hinshaw Legal Team Secures Win for Freight Broker Client in Personal Injury Case

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A Hinshaw legal team led by Tomislav Kuzmanovic, Sara Butler, and Carlton Fisher has secured a significant win for their client, MODE Transportation (MODE), in a consolidated personal injury case in Wisconsin federal court. The judge granted the team's motion to dismiss all claims brought against MODE based on federal preemption and insufficient pleading.

Plaintiffs had claimed that MODE was legally responsible as the freight broker for the personal injuries suffered by the plaintiffs in a motor vehicle accident. Four separate cases involving multiple plaintiffs were consolidated into one case. In addition to MODE, the defendants in the consolidated cases included a truck driver, the motor carrier for which the driver was driving, another motor carrier that double-brokered the load, and the shipper.

The court granted MODE's motion to dismiss on preemption, calling it preempted "on all fours." In so ruling, the court aligned with Seventh Circuit precedent cited by MODE—*Ying Ye v. GlobalTranz Enterprises, Inc.*—that is favorable to the transportation industry.

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