

SUMMARY STATEMENT

Tech Landing, LLC v. JLH Ventures, LLC, Dkt. No. 46949

In 2013, Tech Landing, LLC (“Tech Landing”) leased a building to JLH Ventures, LLC (“JLH”) to operate a paintball business. The building was not insured against fire loss. After the building burned down in 2017, Tech Landing sued JLH, including a claim that the fire was caused by JLH’s negligence. Specifically, Tech Landing alleged that JLH negligently failed to clean lint from the back of a clothes dryer left running after hours on the night of the fire and negligently used a piece of PVC pipe for a portion of the dryer’s exhaust ducting.

JLH moved for summary judgment in November 2018, arguing that no evidence showed the fire was caused by its negligence. JLH supported its motion with expert reports indicating it was unlikely or impossible the fire started near the dryer. Tech Landing opposed the summary judgment motion and submitted its own expert reports concluding that the fire began in the laundry room and was likely caused by the dryer. At the hearing on the motion, JLH objected to the admissibility of both of Tech Landing’s experts’ reports, arguing the expert witnesses were not qualified to offer their testimony and their reports lacked sufficient factual foundation. Following the hearing, the district court held portions of the Tech Landing’s experts’ reports were inadmissible, and granted summary judgment in favor of JLH on the negligence claim. Tech Landing appealed.

The Supreme Court held the district court did not abuse its discretion in excluding portions of Tech Landing’s experts’ opinions. However, the Court reversed the district court’s grant of summary judgment because the district court failed to consider circumstantial evidence favorable to Tech Landing and failed to draw all reasonable inferences in Tech Landing’s favor.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.