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Up and Coming Lawyers

Grant L. Davis

By Geri L. Dreiling

To say that the past four years have been good ones professionally for Kansas City plaintiff's lawyer Grant L. Davis would be an understatement. With a string of multi-million dollar verdicts, including one last year for \$160 million, this young lawyer has earned a place among some of the most respected and feared lawyers in the state.

While many of Davis' colleagues are aware of his successes in the courtroom, many probably don't know that he had another career before going to law school. After college, Davis was a professional kickboxer.

"I was involved in karate in high school, and even more so in college," Davis said. "I eventually became a blackbelt and started participating in karate competitions all over the country."

Davis admits that he was drawn to "the fighting part" of karate, so he took up kickboxing. But after a year of competing with several different organizations, he decided it was time to get out. Why? "Because there isn't a big future in kickboxing."

Early Influence

With that, Davis, whose father was a lawyer, enrolled in law school.

"My dad, Earl Davis, was a lawyer, but he never really tried to influence my decision to go to law school."

Instead, Davis credits a trial he attended at the age of 16 for both his interest in the law and his desire to be a plaintiffs' lawyer.

"My father had referred a case to St. Louis plaintiff's lawyer Jim Holloran," Davis said. "I watched Jim Holloran try that case. He won a big verdict for his client. It made a big impression on me."

Davis started working for Lantz Welch P.C. in June 1986, the summer between his second and third years of law school. Davis joined the Kansas City firm following his graduation.

He points to Timothy Brake of the firm as one of his main mentors, but adds that "there wasn't a whole lot of instruction on how to try a case. You just go out and do it.

"I've always worked hard and overprepared a case," Davis said, "but that was especially true when I didn't know what I was doing."

Davis said that his earlier experience training for kickboxing helped him prepare for trial because he knew that he could "throw himself into it."

And he finds that righting a wrong is a big motivator.

"I look for cases that have some inherent injustice. It has to be a story that you can tell someone and right off the bat they see that a wrong needs to be righted.

"And you really have to look at the transgression," Davis said. "Is it a technical wrong or is it a real injustice?"

Davis indicates that he finds it especially gratifying to "represent children who are injured, or babies who have suffered brain damage.

"In those kinds of cases, I'm doing something that is good for both society and the children.

"I love plaintiffs' work," he said. "I just can't imagine representing a heartless, soulless corporation."

Tracking Leads

After Davis takes a case, one of the first things he does is to "track down all leads.

"The people working on the case, myself, other lawyers, paralegals and investigators, get together and brainstorm. We try to figure out what we can do in the case to make it persuasive."

Davis also enlists the help of focus groups.

"I'm a big believer in focus groups," Davis said. "I typically use them twice in a case. The first time is early in the case.

"The focus group results at that time help focus your attention on what is important in the case, and what will be important to the jury.

"It also exposes the gaps in the case, the evidence the lawyer needs to bring together," he said.

Before trial, Davis brings in the second focus group.

"By the time you end up trying the matter, the case is often quite different from the one that was initially brought into the office," he said.

'Big Wins'

Davis' preparation and hard work are directly correlated to his big wins.

Last year, Davis and Tom Jones obtained a \$160 million verdict for a 34-year-old mother who was injured when a train hit a car in which she was a passenger. Davis claimed that Union Pacific knew the crossing was dangerous but failed to warn drivers of the hazards or change the operations at the crossing. The jury agreed and awarded \$40.4 million in compensatory damages and \$120 million in punitive damages. Amtrak was allotted 25 percent of the compensatory damages but none of the punitive damages were attributed to it. However, the jury found that Union Pacific was responsible for 75 percent of the compensatory damages and all of the punitives. The verdict was the largest in the nation ever awarded to a single plaintiff in a railroad-crossing accident. The trial judge subsequently remitted the compensatory damages to \$25 million and the punitives were reduced to \$50 million. The case is currently pending before the Supreme Court.

Although the \$160 million verdict was the largest, it was by no means the only verdict Davis has received in the past few years that tops the million dollar mark.

In 1997, Davis and Scott Bethune obtained a verdict of almost \$7 million for his client from a St. Louis City jury. In that case, a 23-year-old construction worker was helping to remove metal sheets from the roof of a building. He was standing on the ground, and as he prepared to unhook a pallet of material suspended at the end of a crane, the crane operator suddenly lowered the crane boom, which brought it into contact with a 7,200 volt wire. The man suffered severe electrical burns, cardiac arrest, shock and brain injury as a result of the accident. He sued the crane operator's employer.

Doctor's Negligence

Davis and Bethune also represented a 17-year-old woman who broke her back in a car accident. He claimed that the neurosurgeon and hospital were negligent when they failed to perform surgery to relieve spinal canal pressure after she arrived in the emergency room. Instead, the neurosurgeon decided the operation could wait until the following Monday, when another neurosurgeon would return from vacation. Despite the fact that she could move her legs, feet and toes and had feeling in them when she arrived at the hospital, her condition deteriorated and rendered her a paraplegic. The jury agreed that the neurosurgeon was negligent in failing to perform immediate surgery or to transfer her, and that the hospital was negligent because the neurosurgeon was acting as its agent. The jury returned a verdict of \$2.75 million, apportioning 50 percent of the liability to the neurosurgeon and 50 percent to the hospital.

And Davis and Jones represented the families of individuals who were killed after a helicopter crash. The helicopter hit power lines spanning the Osage River which did not have marking devices or other warnings to aid pilots in detecting the lines. The lines were owned by Three Rivers Electric Cooperative. Davis claimed that Three Rivers owed the "highest degree of care" to the helicopter occupants and the jury agreed, awarding \$5.2 million to the decedents' families. However, on Aug. 29, the Missouri Supreme Court in *Lopez, et al. v. Three Rivers Electric Cooperative, Inc.*, reversed the judgment, and held that the power company only owed a duty of ordinary care. The case will be re-tried in the near future.

For young lawyers who want to follow in Davis' successful footsteps, membership in the Missouri Association of Trial Attorneys is probably one of the first things he would suggest.

"I wouldn't be where I am without the help of MATA and the lawyers involved in the organization," Davis stated.

"I found MATA to be a good source for information on not only how to try lawsuits but also a source of support. I've found good friends, good support and good contacts through my association with MATA."

When he's not in court, Davis relishes the time he spends with his 6-year-old son and 4-year-old daughter. He also finds time to serve on the board of directors for the UMKC Bar Foundation and MATA's board of directors.

To stay fit, Davis participates in 90-minute power yoga sessions and enjoys working out with friends from his kickboxing days. And before a trial, he remains confident and calm by relying on some of the lessons he learned as a kickboxer.

"Even though there is a lot of talk about trials being scary," he said, "I always know that at least when I try a case, no one is going to smack me."

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