

\$5.5 MILLION VERDICT

## Man must pay friend injured in ATV wreck

*Defendant's insurance company won't cover claim*

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By [Alan Scher Zagier](#)

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A Platte County judge has ordered a Lee's Summit man to pay \$5.5 million to a one-time hunting buddy who was partially paralyzed in a 2007 ATV wreck.

The defendant, in turn, may be pursuing legal action against his insurance company in an effort to cover the claim for damages.

Patrick Moppin was on a group hunting trip at the start of deer season on Nov. 9, 2007, when he was crushed under a Honda 450 Foreman driven by Andrew Scott Boldrey of Lee's Summit, an October 2009 lawsuit alleges.



Abe "Quint" Shafer

The ATV went off a cliff in reverse and landed atop Moppin, said plaintiff's attorney Quint Shafer. Moppin, who was 27 and worked as a mechanic and manual laborer, damaged the C-5 and C-6 vertebrae in his spine and was partially paralyzed.

The lawsuit describes months of hospitalization, continued chest, leg and back pain and declines in stamina and energy that make it difficult for Moppin, who now lives with his mother, to work outside his home.

Online state court records show that North Kansas City attorney Jim Thompson briefly represented Boldrey when the suit was first filed. From November 2009 through mid-September of 2011, attorney Michael McCausland represented Boldrey.

Shafer said McCausland was working for State Farm, Boldrey's insurer. The company later determined that "they had no duty under the policy of insurance to provide him a defense," Shafer said.

Boldrey, who did not respond to telephone messages at his home seeking comment, wound up serving as his own attorney pro se after his third lawyer, Jim Wirken, stepped down on Nov. 6, 2012, less than two weeks before the case went to trial, because he had been disbarred due to an unrelated matter.

Shafer said Boldrey is pursuing a legal claim against State Farm, but Missouri's online court records system shows no record of a complaint. He expressed hope that the company covers Boldrey's costs so his client can collect on the judgment. mo

### MOTOR VEHICLE COLLISION

- **Venue:** Platte County Circuit Court
- **Case Number/Date:** 09AE-CV03775/Nov. 21, 2012
- **Judge:** Circuit Judge Owens Lee Hull Jr.
- **Special Damages:** Medical expenses in excess of \$250,000; future lost wages \$1 million (minimum)
- **Allocation of Fault:** 100 percent, defendant
- **Caption:** Patrick L. Moppin vs. Andrew Scott Boldrey
- **Plaintiff's Attorneys:** Abe "Quint" Shafer, Shafer & Welch, Weston; Ben T. Schmitt, Kenner Schmitt Nygaard, Kansas City.
- **Defendant's Attorneys:** James H. Thompson, North Kansas City; Michael E. McCausland, Harris McCausland, Kansas City; James Wirken, Kansas City; Boldrey (pro se).