

THE LAW FIRM
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**U.S. Supreme Court Keeps Intact Ninth Circuit Decision:
Truck Brokers are Legally Responsible when Negligent**

WASHINGTON D.C, June 27, 2022 – Today, the Supreme Court announced it would not review will not review a Ninth Circuit Court of Appeals Decision that victims of truck crashes have legal recourse against transportation brokers negligently hire truck companies, and has denied certiorari.

In 2018 a tractor trailer crossed the median on I-80, flipped over and blocked all lanes of travel. Michael Miller, now 30, unavoidably struck the trailer and was rendered quadriplegic.

In his suit, Miller's claims for negligence include the allegation that C.H. Robinson hired RT Service, a "chameleon" motor carrier or a truck company that changes names and applies for a new USDOT number to avoid government fines and insurance premiums. The lawsuit also alleges:

[T]here were red flags . . . including that [RT Service] and/or Rheas Trans have a history of safety violations; over 40% of their trucks have been deemed illegal to be on the road when stopped for random inspections; they have been cited numerous times for hours of service violations and false log books; and their percentage of out of service violations is twice that of the national average.

The U.S. District Court in Reno, Nevada dismissed Miller's claim in November 2018, deciding that the Federal Aviation Administration Authorization Act (FAAAA) preempted his claim. The Ninth Circuit Court of Appeals overruled that decision and ordered that Miller could proceed with his claims. C.H. Robinson moved the U.S. Supreme Court to review and overturn the Court of Appeals.

On May 24, 2022, the Solicitor General filed a brief recommending the Supreme Court deny certiorari and provided a well-reasoned opinion supporting its position.

Miller's lawyers are Rena Leizerman and Michael Leizerman at [The Law Firm for Truck Safety](#), a law firm with offices across the country that represents the victims of truck crashes.

Case Briefs Filed:

Ninth Circuit opinion: [Ninth Circuit Opinion 2020-09-28](#)

C.H. Robinson's petition: [CHR's Petition for Writ of Certiorari 2021-04-08](#)

Miller's response: [Miller's Resp 2021-06-16](#)

C.H. Robinson's reply: [CHR's Reply Brief 2021-07-07](#)

Brief for the United States: [Solicitor General Brief 2022-05-24](#)

THE LAW FIRM FOR TRUCK SAFETY, LLP is dedicated to trucking safety reform nationwide, representing those severely injured or killed in preventable trucking collisions.

With over 60 multimillion-dollar settlements and verdicts, our team of truck accident attorneys continues to win record verdicts for truck crash victims, fight for comprehensive oversight in the trucking industry, and, most importantly, support truck safety and technology initiatives so that truck crashes caused by driver and motor carrier negligence cannot happen on US roads.

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