

VERDICTS & SETTLEMENTS

Victim of assault reaches \$5M settlement with delivery company

By SCOTT LAUCK

A woman who alleged she was sexually assaulted by an appliance delivery man reached a \$5 million settlement with the man and his employer.



Nick Hillyard



Samuel M. Wendt

Nick Hillyard and Sam Wendt of the Wendt Law Firm represented the woman, who is referred to in court documents as Jane Doe. According to her lawsuit, the defendant, Anthony Rivers, assaulted her on Feb. 18, 2021, while delivering a clothes washer to her home.

Doe alleged Appliance Warehouse of America had hired Rivers despite a record that included arrests for drug and assault charges, as well as an order of protection for domestic violence. The company also failed to train Rivers on interactions with peo-

ple in their homes, the suit said.

“This should be a call to action for those who have deliveries or work performed at their homes to remain vigilant and aware of the risks associated with allowing unsupervised strangers into their residence,” Wendt said in a written statement. “Also, any employers who deliver goods or services to individuals’ homes must ensure that employees are properly vetted before hiring and adequately trained to interact with customers.”

Attorneys for Rivers and Appliance Warehouse didn’t respond to requests for comment.

In court documents, Rivers denied Doe’s claims, saying the sexual encounter was consensual. He also denied many of the charges in the prior cases against him. Appliance Warehouse argued that Rivers had never been accused or convicted of sexual assault prior to Doe’s suit and that it’s background check on him didn’t put them on notice of a potential to commit the crime.

\$5 MILLION SETTLEMENT PERSONAL INJURY

Venue:

Jackson County Circuit Court

Case Number/Date:

2216-CV03803/Aug. 4, 2023

Judge: Cory Atkins

Plaintiff’s Experts: Lauren Richerson, Hutchinson & Associates, Kansas City (psychologist); Steven Millwee, SecurTest Inc., Panama City Beach, Florida (criminologist and security expert)

Defendants’ Experts: Jason Morris, Moreland Hills, Ohio (employment screening); Patrick Campbell, Kansas City (former judge)

Caption: Jane Doe v. Appliance Warehouse of America Inc. and Anthony Dewayne Rivers

Plaintiffs’ Attorneys: Nick Hillyard and Samuel M. Wendt, Wendt Law Firm, Kansas City

Defendants’ Attorneys: Stacy M. Bunck, Ogletree, Deakins, Nash, Smoak & Stewart, Kansas City; Brette Hart, Harris and Hart, Overland Park, Kansas (for employer); Alan Rupe, Lewis Brisbois Bisgaard & Smith, Kansas City (for Rivers)