

# MissouriLawyers

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## WEEKLY

■ \$1.66M SETTLEMENT

## Families settle fatal Ozarks boat-crash suit

### WRONGFUL DEATH

■ **Venue:** Camden County Circuit Court

■ **Case Number/Date:** 19CM-CC00027/Aug. 15, 2019

■ **Judge:** Matthew Hamner and Peggy Richardson

■ **Caption:** Michael LeMark, Lisa Schuster and Rich Hochanadel v. Hayden Frazier and Andy Lewis

■ **Plaintiffs' Attorneys:** Samuel M. Wendt and Jessica Agnelly, Wendt Law Firm, Kansas City (for LeMark); Joseph A. Kronawitter (for Schuster and Hochanadel)

■ **Defendants' Attorneys:** Brette Hart, Harris & Hart, Overland Park, Kansas (for Hayden Frazier); Suzanne R. Bruss, Franke Schultz & Mullen (for Lewis)

**BY JESSICA SHUMAKER**

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The families of two young adults who died in a 2018 boating crash at the Lake of the Ozarks have settled their lawsuit against the driver and owner of the boat for \$1.6 million.

The wrongful-death case, filed in February in the Camden County Circuit Court, was approved in two separate judgments. Plaintiffs included Michael LeMark, the father of Joseph LeMark, 23, of Overland Park, Kansas, and Lisa Schuster and Rich Hochanadel, parents of Hailey Hochanadel, 21, of Olathe.

On July 18, Judge Peggy

Richardson approved an \$833,333 settlement for Schuster and Rich Hochanadel. On August 18, Judge Matthew Hamner approved a settlement in the same amount for Michael LeMark.

According to Samuel Wendt of the Wendt Law Firm, who represented LeMark, Hailey Hochanadel and Joseph LeMark were both passengers in a boat that crashed in the early-morning hours of May 19, 2018, when the boat's driver, Daniel Lewis, 24, of Overland Park, Kansas, struck the rock bluff forming the perimeter of the lake head-on.

Hochanadel, LeMark and Lewis were ejected in the crash and died of their injuries. Another passenger, Ashley Lamb, 21 of Olathe, Kansas, was injured but survived. The owner of the boat, Hayden Frazier, 22, also survived.

"They were youngsters down at the Lake of the Ozarks," Wendt said. "Driving a boat at night can be dangerous, and unfortunately we're not exactly sure what happened, but it appears they turned too early prior to turning into a cove and hit the side of the cliff."

The Missouri State Highway Patrol initially identified Frazier as the driver during the incident and took him into custody on

suspicion of boating while intoxicated involving the death of another person. The agency later said he was not driving at the time of the crash. Wendt said the investigation concluded that Lewis was the driver.

While the resolution of the case has brought some closure for his client's family, Joseph LeMark's memory will not be forgotten. Wendt said.

"He will be remembered by all who had the pleasure of knowing him as a fun-loving, fiercely loyal person whose charismatic personality allowed him to connect and create lifelong friendships with everyone he met," Wendt said.

Joe Kronawitter of Horn Aylward & Bandy in Kansas City represented Schuster and Rich Hochanadel. He said he and his clients were glad to resolve the case.

"I'm glad we were able to help this family with this tragic loss," he said.

Brette Hart of Harris & Hart in Overland Park, Kansas represented Frazier. Suzanne Bruss of Franke Shultz & Mullen represented Andy Lewis, Daniel Lewis' father. Neither could be reached for comment.