

**IN THE ELEVENTH JUDICIAL CIRCUIT COURT, STATE OF MISSOURI
CIRCUIT JUDGE DIVISION**

BRYAN DURHAM)

Plaintiff,)

vs.)

LIGHTFIRE HOLDINGS, LLC)
D/B/A KANGER WHOLESALE)
USA)

Defendant.)

Case No. 1811-CC00938

Division 1

FILED

SEP 08 2023

CIRCUIT CLERK
ST. CHARLES CO.

ORDER AND JUDGMENT

This action came before this Court beginning on August 29, 2023 through September 1, 2023. The parties appeared in person and by their respective attorneys. The issues having been duly tried, and after due deliberation, the Jury rendered its Verdicts A and B (~~attached~~) as follows:

On the claim of plaintiff Bryan Durham against defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA for product defect as submitted in Instruction No. 7, we, the undersigned jurors, find in favor of Defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA.

On the claim of plaintiff Brian Durham against defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA for failure to warn as submitted in Instruction Number 9, we, the undersigned jurors, find in favor of Plaintiff Bryan Durham.

We, the undersigned jurors, find the total amount of plaintiff’s compensatory damages to be \$352,083.00

We, the undersigned jurors, find that defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA is liable for punitive damages.

We, the undersigned jurors, assess punitive damages against defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA at \$2,000,000.

Pursuant to Section 408.040(3) of the Missouri Revised Statutes, in tort actions “interest shall be allowed on all money due upon any judgment or order of any court from the date judgment is entered by the trial court until satisfaction. All such judgments and orders for money shall bear a per annum interest rate equal to the intended Federal Funds Rate, as

established by the Federal Reserve Board, plus five percent, until satisfaction is made.” Section 408.040(3) RSMo. As of September 5, 2023, the intended Federal Funds Rate is in the range of 5.25 – 5.50%. See www.newyorkfed.org/markets/reference-rates/effr. The Missouri Supreme Court has held that a trial court has discretion to set the post-judgment interest rate within the range established by the Federal Reserve Board. See *McGuire v. Kenoma, LLC*, 447 S.W.3d 659, 665, n. 5. Accordingly, the Court sets the post-judgment interest rate at 10.37 percent per annum.


IT IS FURTHER ORDERED AND ADJUDGED that costs shall be assessed against Defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff Bryan Durham shall recover post-judgment interest at the rate of 10.37 percent per annum until full satisfaction.

The Court hereby enters Judgment in favor of Plaintiff Bryan Durham and against Defendant Lightfire Holdings, LLC d/b/a Kanger Wholesale USA in the amount of \$2,352,083, plus all taxable costs, and the Judgment shall bear post-judgment interest at the annual rate of 10.37% from the date of this Judgment until full satisfaction.

IT IS SO ORDERED.

9/8/23
Date



REBECA NAVARRO-McKELVEY
Circuit Court Judge