

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ALABAMA

Austin J. Rappuhn v. Primal Vantage Company, Inc.

Rappuhn · No. 1:20-00528-JB-N · Decided January 5, 2026

SUMMARY

The United States District Court for the Southern District of Alabama denied Primal Vantage Company, Inc.’s renewed motion for summary judgment and motions in limine seeking to exclude or limit the opinions of Austin Rappuhn’s experts. On remand from the Eleventh Circuit, the court held that the expert testimony concerning alleged Quickclip defects, alternative designs, and causation created genuine disputes of material fact and that challenges to the testimony were matters for cross-examination and the jury.

CASE DETAILS

COURT	United States District Court for the Southern District of Alabama
WRITING FOR THE COURT	Jeffrey U. Beaverstock
JURISDICTION	United States District Court for the Southern District of Alabama
DECIDED	January 5, 2026
DOCKET	1:20-00528-JB-N
DISPOSITION	other
PROCEDURAL POSTURE	On remand from the Eleventh Circuit, the district court considered the defendant's refiled motion for summary judgment and motions to exclude or limit the testimony of the plaintiff's experts.
STANDARD OF REVIEW	Under Daubert and Federal Rule of Evidence 702, expert testimony is evaluated for reliability of the principles and methods used, not whether the testimony is ultimately credible or incontrovertible. Credibility conflicts, competing expert opinions, and inadequacies affecting the probative value of testing generally go to weight and are for the jury. Summary judgment is improper where admissible expert evidence creates a genuine dispute of material fact.
PRECEDENTIAL VALUE	Unpublished federal district court order; persuasive rather than precedential outside the case.
PARTIES	Austin J. Rappuhn v. Primal Vantage Company, Inc.

TOPICS

summary judgment

expert testimony

daubert standard

products liability

civil procedure

PRACTICE AREAS

products liability

expert testimony

summary judgment

civil procedure

personal injury

QUESTIONS PRESENTED

1. Whether the plaintiff's expert opinions concerning the design and operation of the Quickclips, causation, and safer alternative designs should be excluded or limited under Daubert and Federal Rule of Evidence 702.
2. Whether the expert opinions created genuine disputes of material fact concerning defective design and causation, precluding summary judgment.
3. Whether the plaintiff could establish a safer alternative design under Alabama law without proving that the alternative design eliminated all possible user error.

HOLDINGS

1. The defendant's motions to exclude or limit the opinions and testimony of Avellon, Rasty, and Brenner were denied because the challenged issues principally concerned credibility, competing expert views, and the weight of the evidence rather than the reliability or admissibility of the experts' methods.
2. Summary judgment was denied because the admissible opinions of Avellon and Rasty created genuine disputes of material fact regarding whether the Quickclip design was defective and whether a Quickclip disengaged and caused Rappuhn's fall and injuries.
3. A plaintiff seeking to prove a safer alternative design under Alabama law must establish that the alternative design would have eliminated or reduced the injuries and that its utility outweighed the utility of the design actually used; the plaintiff need not show that the alternative design is resistant to all possible user error.

KEY QUOTATIONS

“Vigorous cross-examination, presentation of contrary evidence, and careful instruction on the burden of proof remain the preferred means of attacking shaky but admissible evidence.” (Doc. 147 at 10)

“But a district court cannot limit an expert’s testimony or grant summary judgment by crediting one witness over another.” (Doc. 147 at 7)

“To prove a safer alternative design under Alabama law, a plaintiff must establish that (1) his injuries would have been eliminated or in some way reduced by the alternative design and (2) the utility of the alternative design outweighed the utility of the design actually used.” (Doc. 147 at 13)

FACTUAL BACKGROUND

Austin J. Rappuhn was injured while climbing a tree with Primal Vantage's PVCS-400 tree stand. During the climb, he heard a popping sound, fell approximately seven feet, and became permanently paralyzed from the chest down. A Quickclip and a cable securing the upper platform were found detached, and Rappuhn alleged that a Quickclip disengaged through a false-latch scenario. He supported his negligence, Alabama Extended Manufacturer's Liability Doctrine, and wantonness claims with expert opinions concerning the defective design of the Quickclips, causation, and safer alternative fasteners.

PROCEDURAL HISTORY

The district court had previously excluded portions of the opinions of experts Guy Avellon and Jahan Rasty and granted Primal Vantage summary judgment. The Eleventh Circuit reversed both the evidentiary ruling and the grant of summary judgment, concluding that the expert disputes concerned credibility and evidentiary weight rather than admissibility and that the expert opinions created genuine issues of material fact. On remand, the defendant refiled identical motions without new evidence or argument, and the district court denied all motions.

DISPOSITION

other

CASES CITED

- Ruiz-Troche v. Pepsi Cola of Puerto Rico Bottling Co., 161 F.3d 77, 85 (1st Cir. 1998)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 590, 596 (1993)
- McCorvey v. Baxter Healthcare Corp., 298 F.3d 1253, 1256 (11th Cir. 2002)
- Rink v. Cheminova, Inc., 400 F.3d 1286, 1293 n.7 (11th Cir.)
- Rosenfeld v. Oceania Cruises, Inc., 654 F.3d 1190, 1193 (11th Cir.)
- Hemmings v. Tidyman's Inc., 285 F.3d 1174, 1188 (9th Cir. 2002)
- Quiet Tech. DC-8, Inc. v. Hurel-Dubois UK Ltd., 326 F.3d 1333, 1345-46 (11th Cir.)
- Bazemore v. Friday, 478 U.S. 385, 400 (1986)
- Hosford v. BRK Brands, Inc., 223 So. 3d 199, 203 (Ala. 2016)
- Gen. Motors Corp. v. Edwards, 482 So. 2d 1176, 1189 (Ala. 1985)
- Curtis v. Gen. Motors Corp., 649 F.2d 808, 812 (10th Cir. 1981)
- Schwartz v. Volvo N. Am. Corp., 554 So. 2d 927 (Ala. 1989)
- Haddan v. Norfolk S. Ry. Co., 367 So. 3d 1067 (Ala. 2022)