

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI

Hillman v. Gree USA, Inc., et al.

Hillman · No. 4:23-cv-00830-SEP · Decided March 16, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri denied Defendants’ motion for summary judgment in a product-liability action arising from a house fire allegedly caused by a defective Gree dehumidifier. The Court held that disputed evidence regarding causation, punitive damages, the adequacy of a recall warning, express warranty reliance, and civil conspiracy precluded judgment as a matter of law. The case was set for trial on June 22, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri
WRITING FOR THE COURT	Sarah E. Pitlyk
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	March 16, 2026
DOCKET	4:23-cv-00830-SEP
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment on all nine Missouri-law claims asserted in the Second Amended Complaint. The district court denied the motion.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that no genuine dispute as to any material fact exists and the movant is entitled to judgment as a matter of law. The court views facts and reasonable inferences in the light most favorable to the nonmoving party and may not weigh evidence or make credibility determinations.
PRECEDENTIAL VALUE	Unknown; memorandum and order from a federal district court with no published reporter citation identified.

TOPICS

- summary judgment
- products liability
- punitive damages
- breach of contract
- evidence

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Defendants were entitled to summary judgment on Plaintiffs' claims because Plaintiffs lacked sufficient evidence of product defect and causation.
2. Whether Defendants were entitled to summary judgment on Plaintiffs' request for punitive damages.
3. Whether the 2013 recall notice established as a matter of law that Defendants adequately warned Hillman of the alleged danger.
4. Whether Plaintiffs' express warranty claim failed because the warranty was not a material factor inducing Hillman's purchase.
5. Whether Plaintiffs' civil conspiracy claim failed because the alleged wrongful conduct occurred after the dehumidifier was purchased.

HOLDINGS

1. Summary judgment was inappropriate because, with the challenged expert opinions admitted, Plaintiffs presented sufficient evidence from which a reasonable jury could find both a product defect and causation.
2. Defendants were not entitled to summary judgment on punitive damages because their arguments depended on disputed facts, were insufficiently developed, or lacked supporting authority.
3. Summary judgment was improper on the failure-to-warn claim because a reasonable jury could find that Defendants did not provide adequate notice of the danger, notwithstanding evidence that a recall notice was mailed.
4. Summary judgment was improper on the express warranty claim because a reasonable jury could find that the warranty in the user manual was a material factor inducing Hillman's purchase.
5. Summary judgment was improper on the civil conspiracy claim because Defendants' argument depended on their disputed position concerning when Hillman purchased the dehumidifier.

KEY QUOTATIONS

“A court must grant summary judgment if “the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.”” (Legal Standard)

“Credibility determinations, the weighing of the evidence, and the drawing of legitimate inferences from the facts are jury functions, not those of a judge....” (Discussion, Section I)

“Giving Hillman that benefit, the Court finds that genuinely disputed material facts prevent it from granting Defendants’ motion for summary judgment.” (Conclusion)

FACTUAL BACKGROUND

Kenneth and Phyllis Zerr died in a November 10, 2022, house fire that Plaintiffs attribute to a defective Gree dehumidifier. The parties disputed the cause of the fire, the date Brenda Hillman purchased the dehumidifier,

when Gree learned of the alleged defect, and whether Hillman received a 2013 recall notice. Plaintiffs relied substantially on expert testimony and other evidence concerning the alleged defect, causation, Gree's knowledge, the recall, and the warranty.

PROCEDURAL HISTORY

Plaintiffs, the children of Kenneth and Phyllis Zerr and Kenneth Zerr's estate, sued manufacturers and related defendants after the Zerrs died in a house fire allegedly caused by a defective Gree dehumidifier. After discovery and expert disclosures, Defendants moved for summary judgment on all claims. The court concluded that genuine disputes of material fact remained and denied the motion, leaving the case set for trial.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 255 (1986)
- Farver v. McCarthy, 931 F.3d 808, 811 (8th Cir. 2019)
- Wingate v. Gage Sch. Dist., 528 F.3d 1074, 1079 (8th Cir. 2008)
- Scott v. Harris, 550 U.S. 372, 378 (2007)
- United States v. Diebold, Inc., 369 U.S. 654, 655 (1962) (per curiam)
- El Deeb v. Univ. of Minnesota, 60 F.3d 423, 430 (8th Cir. 1995)
- Conolly v. Clark, 457 F.3d 872, 876 (8th Cir. 2006)
- State Farm Mut. Auto. Ins. Co. v. Campbell, 538 U.S. 408, 422 (2003)
- Sturgis Motorcycle Rally, Inc. v. Rushmore Photo & Gifts, Inc., 908 F.3d 313, 324 (8th Cir. 2018)
- Tune v. Synergy Gas Corp., 883 S.W.2d 10, 13 (Mo. 1994) (en banc)
- Shelter Mut. Ins. Co. v. Flint, 837 S.W.2d 524 (Mo. Ct. App. 1992)
- Miller v. John Hancock Mut. Life Ins. Co., 155 S.W.2d 324, 328 (Mo. Ct. App. 1941)
- Ins. Placements, Inc. v. Utica Mut. Ins. Co., 917 S.W.2d 592, 595 (Mo. Ct. App. 1996)
- Renaissance Leasing, LLC v. Vermeer Mfg. Co., 322 S.W.3d 112, 122 (Mo. 2010) (en banc)
- Bonomo v. Boeing Co., 63 F.4th 736, 745 (8th Cir. 2023)