

July 30, 2025 | Firm News

Attorney Berger Wins Defense Verdict in Maine Harness Racing Case

By: Rich May, Ashley M. Berger

The jury returned a verdict in favor of Attorney [Ashley Berger](#)'s client after a 3-day jury trial in the Maine Business and Consumer Docket (Cumberland County). The case arose out of a harness racing incident at the Fryeburg Fair in 2022. The case involved claims of negligence and loss of consortium brought by the plaintiff, on behalf of herself and the estate of her late husband (the injured party), against Rich May's client, the company which operated the starting gate vehicle and gate at the Fryeburg Fair. At trial, the plaintiff argued the company's driver operated the starting gate vehicle in a negligent manner, alleging that the starting gate truck drifted in a way that allowed the starting gate to strike the patron, causing him to sustain significant injuries.

Attorney Berger was able to convince the jury that her client was not negligent in its operation of the starting vehicle and gate.

A total of 11 witnesses, including 3 treating physicians testified in the matter. After approximately 4 hours of deliberation, the jury returned a verdict in favor of the defendant.



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