

Fourth Circuit Affirms Summary Judgment for Wake Forest University in Wrongful Death Action

06.20.2022

The United States Court of Appeals for the Fourth Circuit recently affirmed summary judgment for Wake Forest University in the matter *Estate of Najee Baker v Wake Forest University, et al.* The Brooks Pierce attorneys representing Wake Forest University included Bob King, Shana Fulton, Tanisha Palvia, Katie Wong, Kasi Robinson, and Cordon Smart.

The plaintiff alleged that Wake Forest was liable for the 2018 fatal shooting of 21-year-old Winston-Salem State University football player Najee Ali Baker after a party on the Wake Forest campus. The plaintiff alleged that security at the Wake Forest campus was inadequate. Other defendants had been named in the complaint, but those claims had been previously settled or dismissed.

After the completion of discovery, U.S. District Judge Catherine Eagles granted Wake Forest's Motion for Summary Judgment, ruling that the plaintiff had not come forward with any evidence that Wake Forest officials should have foreseen that the shooting would happen. To the contrary, Judge Eagles recognized that the level of security on campus was high and that the shooting of Mr. Baker was unforeseeable.

The plaintiff appealed Judge Eagles' Order. On May 23, 2022, the 4th Circuit Court of Appeals affirmed, upholding Judge Eagles' decision.

PEOPLE

Shana L. Fulton

Robert King III

Tanisha Palvia

Kasi Wahlers Robinson

Cordon M. Smart

Katarina Wong

SERVICES

Litigation