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Lawyer With Dramatic Flair Tells How He Won \$8M Verdict

Stage actor turned plaintiffs attorney Kurt Zaner of Zaner Harden Law finds it helpful to mimic his favorite TV lawyers, mostly a combination of James Spader in “Boston Legal” and Dylan McDermott in “The Practice.”

By Katheryn Hayes Tucker | October 26, 2021



<https://images.law.com/contrib/content/uploads/sites/292/2021/10/Kurt-Zaner-767x633.jpg>) **Kurt Zaner of Zaner Harden Law in Denver. Courtesy photo**

The lawyer who won \$8.4 million Oct. 21 for a Colorado electrician hurt on the job has a talent for keeping the jury interested.

Kurt Zaner of Zaner Harden Law in Denver was a stage actor in Los Angeles before he went to law school at the University of Florida. And before that, he learned about being a trial lawyer from watching television. "People's exposure to the law is TV shows," Zaner told Law.com Monday. "I mimic a lot of my TV lawyer heroes."

That would be mostly a combination of James Spader in "Boston Legal" and Dylan McDermott in "The Practice."

"The acting thing is interesting," Zaner said. "There's no acting in the courtroom. There's believing. Being able to express yourself is helpful."

It also helps to be able to convey a story to jurors in a way that holds their interest, he said—especially given they're finding that real-life courtroom drama is far less exciting than what they've seen on TV.

In this case, he credited a truly heroic character with moving the jury to award \$8.4 million in compensatory damages to Jonathan Valaer in two and a half hours of deliberating following a nine-day trial. "I think the jury really liked Jon's wife," Zaner said.

Angel McCune is an electrician's apprentice who was working with her husband when he was hurt in April 2018. As Zaner told the story to Law.com, they were installing wiring for a mobile home park. She heard an odd sound and ran to check on her husband. She found him in the process of being electrocuted by a metal pedestal that was not supposed to have live wires. She ran toward him to try to tackle him and free him from the current, knowing that she could be electrocuted as well. But just as she reached him, the current released him. She testified that he had electrical current running through his arms for between 20 and 45 seconds.

The defense disputed her testimony, providing an expert who said her husband couldn't have been electrocuted for more than a second or two, and that the event could not have caused a serious injury. But the jury believed her, Zaner said.

The verdict placed 100% of the fault on the defendant, Q3 Contracting, the company accused of leaving loose live wires inside the electrical pedestal built for connections to be added later.

Q3 was defended by Todd Theodora of Theodora Oringer in Denver. He did not immediately respond to messages seeking comment.

Q3 operates in nine states and performs all of their work in Colorado for Xcel Energy, hooking up power for much of the state of Colorado. As a subcontractor for an energy company, Q3's work is not inspected by the government, Zaner said.

From the electrocution, Zaner said Valaer developed a debilitating, incurable nerve condition called Complex Regional Pain Syndrome (CRPS) in both arms and his leg. The jury awarded \$3 million for future medical bills, \$1 million for pain and suffering, and \$4.4 million for physical impairment.

"Jon will experience for the rest of his life a combination of numbness, stabbing, burning, throbbing," Zaner said. "He said he wakes up at night in pain thinking, 'How can I get rid of these arms?'"

Like his wife, Zaner said Valaer made a favorable impression on the jury. "He's a salt of the earth guy," Zaner said. "He's a wonderful human being."

Zaner tried the case with Sarah McEahern of Zaner Harden. The case is *Valaer v. Q3 Contracting* in Denver District Court.

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