

Case Information

State GA
Contributing Attorney Alan Hamilton, Jeff Shiver, Maggie Randels and Jim Roth
Settled Verdict
Resolution/Verdict Date 03/20/19
Resolution/Verdict Amount \$ 27,000,000
Mediation company Henning Mediation & Arbitration Service, Inc.
Mediator Tom Tobin

Plaintiff Information

Gender/Race/Age Female / Asian / 22
Lost Wages \$ 3,250,000
Injuries **Catastrophic** (death, died at the scene, could've lived seconds up to at most 5 minutes) / (Injections : No)
Prior Related Injuries No
Vehicle Type Motorcycle
Degree of Property Damage Totaled

Defendant Information

Defendant Trucking Company
Defendant's citations 40-6-73 (Failure to yield while crossing roadway)
Liability Carrier(s)/Limits XL Insurance America Incorporated (\$ 5,000,000) multiple excess layers (\$ 70,000,000)
UM Carrier(s)/Limits ()

Court Information

Court State Court of MUSCOGEE, GA
Judge Ben Richardson

Inquiries/Attorney Notes

Death Case

This was a direct action case against the trucking company and their primary insurer but there were multiple layers of available insurance in excess of \$70,000,000

Breakdown of Verdict:
\$22M for the wrongful death
\$5M for pain & suffering

Plaintiff's deceased was a first generation Vietnamese-American who was a freshman in college at the time. Our economist produced future lost wages in the range of \$3.25M and \$4.5M. An eyewitness at the scene testified that she was breathing but she never spoke and her eyes had rolled back into her head. The expert testified that she died at the scene, but could have lived seconds up to at most 5 minutes. Died of internal bleeding and resulting cardiac arrest There were no punitive elements in this case.

Liability:
Clear and admitted liability. This was a "green on green" case. The defendant driver turned left on a solid green light and plaintiff's deceased, who was operating a motorcycle, ran into the back end of his trailer. The defendant's driver was cited with failure to yield. Decedent suffered multiple blunt force trauma, orthopedic injuries.

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