

Negligence/Auto

Wrongful Death – Tractor-Trailer Plowed Into Stopped Cars – Decedent Lived Several Hours – Driver Had Previous Violations – \$2.25 Million Settlement

Brief statement of claim: The decedent, a corporal with the U.S. Marine Corps at Cherry Point, was driving home to see his mother during Easter weekend leave. He was stopped for construction on Highway 13 North in Gates County when a tractor-trailer driver failed to stop for the construction and plowed into a line of stopped cars.

The decedent lived for several hours but died later at Sentara Hospital in Virginia.

The defendant driver pled guilty to careless and reckless driving in connection with the wreck. Plaintiff's counsel discovered that the defendant driver had 15 previous motor vehicle violations, all involving the use of a tractor-trailer.

Principal Injuries (in order of severity): Death

Special damages: n/a

Tried or settled: Settled one day after mediation

County where tried or settled: Craven

Case name and number: *Hall v. Bill Thompson Transport* (Craven County Superior Court; 97 CvS 979)

Date concluded: November 1997

Name of Mediator: Gary Hemric, Charlotte

Amount: \$2.25 million

Insurance carrier: n/a

Expert witnesses and areas of expertise: Finley Lee, economist; Mike Sutton, accident reconstructionist

Attorneys for plaintiffs: Doug Abrams, Raleigh, and Paul Caimi, Cleveland OH

Other useful info: At the time of his death, the decedent was married and had two children, ages three and one. He had been a member of the U.S. Marines since 1992, had done overseas