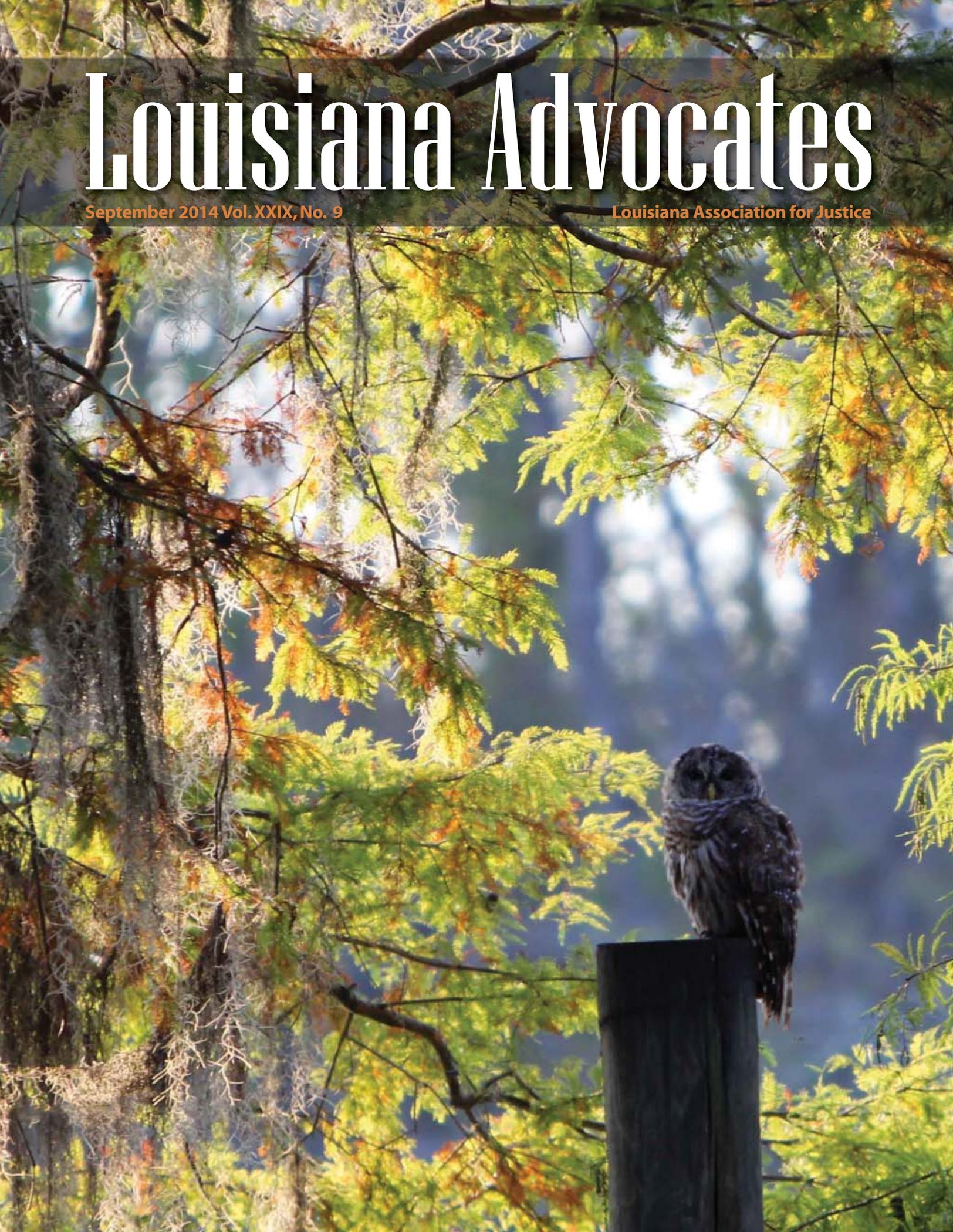


Louisiana Advocates

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Louisiana Association for Justice



Verdicts and Settlements

Nighttime wreck on bridge; moderate TBI, severe injuries to face, hip, back; \$3.2 million settlement

Plaintiff, who was driving in the left westbound lane of Interstate 10 during the dark and rainy early morning hours of October 30, 2009, attempted to avoid an unlit bus stopped at the top of the bridge in Lake Charles, but he could not prevent the wreck. His vehicle hit the bus in an offset collision at about 45 mph.

At the time of the wreck, the lights on the bridge, which had not functioned for many years, were not working.

In the wreck, plaintiff sustained moderate traumatic brain injury and severe injuries to his face, hip, back, and whole body, which causes physical pain, permanent scarring, and disability. The plaintiff-driver, his wife, and their three major and two minor children filed suit.

Plaintiffs alleged the bus company negligently hired the bus driver, knowing that the driver was fired from his previous bus-driving job for violating company rules. In the subject wreck, the driver violated company rules by using the bridge.

The bus experienced mechanical difficulties before it began ascending the bridge, and the driver ignored temperature-warning signals from the bus as it climbed the bridge.

In addition to other allegations, plaintiffs maintained that after the bus' engine shut down, the driver turned off all electrical power in a failed attempt to restart the bus. This action killed electrical power to the lights on the bus.

Plaintiffs also argued that the bus company destroyed evidence. The right taillight bulbs on the bus, which would have provided critical information on the functioning of those lights at the time of the crash, were removed. The bus company also downloaded and then deleted information from the bus' engine control module, which could have established the reason for the engine overheating.

The bus company's destruction of evidence resulted in plaintiffs suffering severe emotional distress.

Plaintiffs also alleged that the Louisiana Department of Transportation and Development and the city of Lake Charles were negligent in maintaining lighting on the bridge.

Case settled for \$3.2 million, with the bus company responsible for \$3 million, the city of Lake Charles for \$100,000, and DOTD for \$104,380.82.

Aleshire v. CUSA, GCT, LLC, et al., No. 2010-980, Div. H, 14th JDC, Calcasieu Parish, 5/14-6/14

Plaintiffs' counsel: J. Steven Broussard and Randall E. Hart of Broussard & Hart, L.L.C., Lake Charles; Sandee Hart Bell of Hart Law Firm, Orange, Texas

Plaintiffs' experts: Kelley Adamson, accident reconstruction, College Station, Texas; Charles Bettinger, Ph.D., economics, Lake Charles; Jeffrey Muttart, Ph.D., human factors, East Hampton, Connecticut; Tom Truss, mechanical, bus operations, engine control module operations, Bryan, Texas

Motorcycle wreck; multiple fractures; \$1.2 million verdict

Plaintiff, a thirty-five-year-old electronics technician and a former U.S. Navy service member, sustained injuries when a seventeen-year-old turned left in a pickup in front of plaintiff's motorcycle in 2009. Plaintiff suffered severe fractures to his right hand, right forearm, and right femur into his knee, which developed early-onset arthritis. Given plaintiff's age, he will likely require two knee replacements during his life.

Plaintiff incurred more than \$154,000 in wreck-related medical expenses and missed two months of work.

Because of plaintiff's military service in the Persian Gulf, plaintiff came across as a hardened individual. Plaintiff's attorneys said one of the biggest challenges they faced was to help the jury see "this true American hero."

After a four-day jury trial, the jury returned a \$1.2 million verdict for the plaintiff.

Miller v. Shelter Insurance Company, et al., No. 2011-0271 "1," 15th JDC, Lafayette Parish, 8/7/14

Plaintiff's counsel: Robert M. Marionneaux, Jr. of Marionneaux Law Firm, Baton Rouge; Jared R. Dunahoe of Dunahoe Law Firm, Natchitoches; David C. Laborde of The Laborde Law Firm, LLC, Lafayette

Plaintiff's experts: Michael S. Gillen, accident reconstruction, Baton Rouge; Dr. Adam T. Perry, orthopedics, Lafayette; Dr. Craig C. Greene, orthopedics, Baton Rouge; Sy J. Arceneaux, vocational rehabilitation, Lafayette

Oilfield truck runs red light; neck surgery; \$1.4 million settlement

Plaintiff, a thirty-five-year-old industrial worker, suffered serious injuries when his car collided with an oilfield truck that ran a red light. His neck injuries required a two-level decompression and fusion with instrumentation. Plaintiff's past medical expenses totaled approximately \$10,000, and medical personnel recommended future neck surgery.

Plaintiff maintained that the injuries he sustained in the wreck ended his career and created permanent, functional impairment. Defendants' expert alleged plaintiff suffered little to no damage to his earning capacity due to his transferable skills, work experience, and training.

Following mediation, the case settled for \$1.4 million.

Doe v. ABC Insurance Company, et al., 15th JDC, Vermilion Parish, 4/14

Plaintiff's counsel: Nicholas A. Blanda of Anderson, Dozier & Blanda, Lafayette

Plaintiff's experts: Dr. John Sledge, orthopedic surgery, Lafayette; Dr. Robert Franklin, physical medicine/rehabilitation, Lafayette; Stanford H. McNabb, vocational rehabilitation and future cost analysis, Lafayette; and G. Randolph Rice, Ph.D., economics, Baton Rouge