

March 20, 2000

Trial Report

Man Injured Back When Rear-Ended By Truck

\$1,660,000 Verdict

The plaintiff was a 49-year-old man who was injured when his car was struck from behind by a tractor-trailer. He sued the driver's employer.

The accident happened on May 21, 1997 in Sedalia. The plaintiff was stopped at a stop light behind two other cars when the defendant's truck struck him from behind, pushing him into two other vehicles and finally into another truck. All three cars were totaled, and the plaintiff suffered soft-tissue back injuries and a closed head injury. As a result, he claimed he could no longer lift, bend, dance or play sports, could not think clearly, and had constant ringing in his ears.

The defendant initially contended that the accident occurred because a car in front of the plaintiff swerved abruptly into the lane, causing all of the cars to stop quickly. The defendant also claimed the man suffered only minor soft tissue injuries, and that the injuries cleared up within three months of the accident.

The defendant asked the jury to return a verdict of \$36,000. The jury awarded the plaintiff \$1,660,000.

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Type of Action: Negligence

Type of Injuries: Back injuries, closed head injury

Court/Case Number/Date: St. Louis City Circuit Court/982-00760/Feb. 29, 2000

Caption: *Huddleston v. Tyson Foods Inc.*

Judge, Jury, or ADR: Jury

Name of Judge: John Riley

Special Damages Claimed: None

Verdict or Settlement: \$1,666,000 verdict

Allocation of Fault: N/A

Last Offer: \$85,000

Last Demand: \$325,000

Attorneys for Plaintiff: Grant Davis and Thomas Jones, Law Offices of Lantz Welch, Kansas City

Insurance Carrier: Old Republic Insurance Co.

Plaintiff's Experts: Dr. Larry Bader, Columbia (osteopath); Dr. Daniel Boatright, Fort Worth, Texas (osteopath); Dr. David Marty, Jefferson City (ear, nose and throat doctor); Dr. Gary Pierson, Tipton (osteopath); Renee Stucky, Columbia (neuropsychologist)

Defendant's Experts: Dr. Walter Lemon, St. Louis (neurologist); Dr. Wayne Stillings, St. Louis (psychologist)

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