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LARGEST VERDICTS

VIRGINIA'S LARGEST VERDICTS OF 2014



9

\$4.5 Million

Driver struck by heavy-duty truck while sitting at stoplight

Mason v. Chenault and Sylvania Lighting Services Corp.

Type of case: Personal injury

Court: Richmond Circuit Court

Attorneys: Kelly Martin and Jay Tronfeld, Richmond

Summary: A Richmond jury awarded \$4.5 million to a man who suffered a brain injury after being t-boned by a heavy-duty work truck while stopped at a light.

The plaintiff was the driver of a Ford Explorer that was stopped at an intersection in Chesterfield County. The defendant, who was driving a Ford F550, drove off the road, crossed the median and struck the driver's side of the plaintiff's vehicle. The impact pushed the plaintiff's vehicle 60 feet into a brick wall on the side of the road. Plaintiff suffered a mild traumatic brain injury and multiple internal and orthopedic injuries.

The case was vigorously defended with nearly 35 depositions of fact and expert witnesses and the plaintiff's health care providers. Defense alleged that the defendant suffered a sudden medical emergency, which led him to drive off the road. Defendants also contested the plaintiff's brain injury claim, arguing his cognitive issues were pre-existing. Liability was contested until the week before trial, but admitted shortly after the plaintiff deposed a witness who saw defendant smoking a cigarette in his vehicle before he lost control.

Prior to trial, the plaintiff conducted a focus panel. The panels returned verdicts of approximately \$3 million. The parties attempted to mediate the case, but were unable to arrive at a settlement.

Plaintiff asked for \$6.446 million in closing. The jury deliberated for two hours and 20 minutes before returning a verdict of \$4.5 million with interest on special damages beginning on the date the plaintiff returned to work.



MARTIN



TRONFELD