

10-MILLION-DOLLAR SETTLEMENTS

A'S MILLION-DOLLAR SETTLEMENTS OF 2014

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Newport News;
Fairfax, Ohio



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ing into the rear of the decedents' car and killing the driver and the passenger.

The driver of the pickup and his employer, together with the driver of the disabled vehicle and a third driver who clipped the decedents' vehicle, all participated in the settlement through their respective carriers. Improper lookout and excessive speed on the part of the pickup truck were alleged as factors causing the accident.

The two separate suits were both settled shortly after they were filed (see settlement #23).

8 (tie) \$3.85 Million

Driver killed in head-on collision with dump truck

Type of case: Wrongful death, auto accident

Mediator: Johanna Fitzpatrick

Attorney: Benjamin J. Trichilo, Fairfax

The 40-year-old decedent was killed on impact when a dump truck collided head-on with his vehicle. The collision occurred in the decedent's lane, and the decedent had no time to react. The defendant truck driver was experienced and passed alcohol and drug tests after the accident. Defendant claimed he drifted out of his lane when he checked his mirror, and then over-corrected, losing control. Plaintiff contended that he had fallen asleep.



TRICHILO

The primary insurer eventually offered its limits of \$2 million. The umbrella insurer did not begin meaningful settlement discussions until suit was filed and discovery was proounded.

The decedent was survived by his wife and three young children. The case was resolved by mediation.

8 (tie) \$3.85 Million

Auto accident plaintiff suffered mild TBI, orthopedic injuries

Type of case: Personal injury, auto accident

Court: U.S. District Court, Richmond

10 \$3.75 Million

Crush injuries led to amputation of seaman's foot

Type of case: Maritime

Mediator: Thomas S. Shadrick

Attorneys: Adam H. Lotkin and Brother Rutter, Norfolk

The 35-year-old plaintiff, a Jones Act seaman, was working in the engineering department of a multi-national shipping company in a foreign port. He was asked by his superior to assist with moving large fabrication steel plates to a secure holding position on a wall. The process was not subject of a job safety analysis and was performed differently and more safely in the past. Plaintiff was helping pick up the plates when the plates became loose. He was unable to move quickly enough out of the way of the falling plates, and suffered crushing injuries to both legs.



LOTKIN

Plaintiff was taken to a foreign hospital for emergency surgery, then flown back to Sentara Norfolk General for follow-up care. Plaintiff underwent multiple and extensive surgeries to both legs and ultimately required surgical amputation of his right foot. He will never work as a seaman or QMED engineer again due to his permanent injuries.



RUTTER

11 \$3.6 Million

Nurse injured in auto accident unable to return to job

Type of case: Personal injury, auto accident

Mediator: Thomas S. Shadrick

Attorneys: Leonard C. Heath Jr., Newport News; Stephen M. Smith, Hampton; Joseph F. Verser, Newport News

The 55-year-old plaintiff was

