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From the February 07, 2000 North Carolina Lawyers Weekly.

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Verdicts & Settlements

Negligence/Auto

Defendant Hit Plaintiff's Auto - Hit Plaintiff Standing Nearby - Double Amputation - \$7.5 Million Mediated Settlement

Brief Statement of Claim: On Saturday, Nov. 4, 1995, at approximately 7 p.m., the plaintiff was driving home from her workplace in the Research Triangle Park. Her car broke down and she pulled off the side of the road on the West Terminal Boulevard exit ramp near the airport. She called a tow truck and waited in the vehicle for it to arrive.

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At about the same time, the defendant arrived at RDU Airport in Raleigh on a business trip for her employer. Shortly after she arrived at the airport, the defendant employee proceeded to rent an auto from the defendant automobile renter from its rental facility near the airport. On the way to meet a co-worker in Raleigh, the defendant employee drove the rental vehicle from the West Terminal Boulevard onto Aviation Parkway, heading in a northerly direction toward U.S. Highway 70.

At approximately this time, the tow truck arrived. The plaintiff was standing off of the road in front of her automobile making arrangements with personnel from the tow truck service to tow her auto. As defendant employee drove the rental vehicle off of the West Terminal Boulevard exit ramp, she failed to look ahead, according to the plaintiff's counsel. She lost control of her auto and collided into the rear of the plaintiff's car, forcing it into the plaintiff, who was standing in front of it.

The plaintiff was briefly pinned between her car and the tow truck, and was thrown off of the side of the road into a ditch. As a result of the collision, the plaintiff's legs were both amputated from her knees downward.

Principal Injuries (in order of severity): Double amputation.

Special Damages: n/a

Tried or settled: Settled after second mediation

County where tried or settled: Wake

Case Name and number: *Elizabeth Drake v. ReUse Technology et al*

Date Concluded: August 16, 1999

Name of Judge: None

Amount: \$7.5 million

Insurance Carrier: Travelers

Expert Witnesses and areas of expertise: Plaintiff's accident reconstruction experts: Steve Chewing, Traffic Safety Consultants, Richmond VA, Fred Tyner, Raleigh, and Dr. Joseph Wattleworth, Gainesville FL

Attorneys for plaintiffs: Howard Twiggs and Doug Abrams of Twiggs, Abrams, Strickland & Trehy, P.A., Raleigh

Other Useful Info: The mediator was Bob Beason.

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