

NORTH CAROLINA
LAWYERS WEEKLY
www.nclawyersweekly.com

Lawyers Weekly, Inc.

[Try 3 Free](#) | [Subscriber Services](#) | [Our Newspapers](#) | [Other Products](#) | [Advertise](#) | [Help](#)

	<p>Wealth Management for the Legal Industry. • Experience • Expertise • Focus</p> <p>Learn more >></p>	
---	--	---

From the January 01, 1993 North Carolina Lawyers Weekly.

Order a REPRINT
of this Story

Trial Reports

Negligence

Helicopter Crash - Wrongful Death - Emotional Distress

Type of Case: Emergency medical technician killed when a county helicopter struck a cellular telephone tower under construction filed suit against owner and builder of the tower.

Type of Injuries/Damages: Fatality

ADVERTISEMENT

Age of Plaintiff: Decedent 35 years old, survived by husband and two-year-old daughter

Court/Case No.: Estate of Willoughby v. Virginia Metronet, et al.; Dare County Superior Court, 89-CVS-711

Awarded/Settled: Settled

Date Case Concluded: N/A

Settlement: \$3 million present value of structured settlement; Payout over

lifetime:

\$24,809,558 over the daughter's anticipated lifetime

Insurance Carrier: CNA, Fireman's Fund, and Chubb

Other Useful Information: The decedent and pilot had just dropped off a patient at a hospital in Norfolk and were flying back to their Manteo base when they hit an unlit cellular tower under construction. They were killed on impact with the ground.

Attorneys filed suit against the owner of the tower and the contractor. They sought compensatory damages under wrongful death statute, damages for pre-death emotional distress, and punitives for gross negligence, the latter claim due to this being the second night the tower was unlit.

Defendants attempted to join the FAA as third party defendants to move the case to federal

court, but under Fed.R. Civ.P. 12(h)(3) the plaintiff's counsel were able to have the motion dismissed for lack of jurisdiction.

Counsel for the plaintiff advised the defendants that they would increase the cost of settlement by \$250,000 per month because the defendants would not respond to settlement offers.

Attorney(s) for Plaintiff: Donald Beskind and Andrea Curcio, BESKIND AND RUDOLPH, Chapel Hill

© Copyright 1993 Lawyers Weekly Inc., All Rights Reserved.

Order a REPRINT of this Story	
--	--

[User Agreement For Subscriber-Only Online Benefits](#) | [Help](#) | [Our Privacy Policy](#)
Send any questions or comments to comments@lawyersweekly.com

Subscriber Services: 1-800-451-9998 **Technical Support:** 1-800-451-9998

© Copyright 2008 Lawyers Weekly, Inc. All Rights Reserved



Lawyers Weekly does not use spyware; however, we link to a number of other sites and do not take responsibility for any spyware they may use.

This site is best viewed with Internet Explorer 6 ([click here to download](#))