

Driven to Succeed:

The truck driver's story just didn't add up, and when our attorneys, Robby Jessup and Joan Davis, began to investigate and ask questions, the whole thing unraveled.

TRIAL BRIEFS NC Advocates for Justice

One Million Dollar Wrongful Death Settlement

ROBBY JESSUP and JOAN DAVIS of the law firm Howard Stallings in Raleigh, in association with RUSSELL JOHNSON of the law firm Diener Law in Greenville, obtained a One Million Dollar Settlement in a disputed liability wrongful death case. These attorneys represented the estate of a Mexican immigrant who was killed in a head-on collision with a transfer truck. The truck driver and trucking company initiated the lawsuit by asserting claims against the estate for personal injury and property damage. The estate proceeded to counter-claim for wrongful death.

The State Troopers and initial experts who investigated the crash all said that the Mexican immigrant was at fault for causing the wreck and had crossed the center line. In fact, in the incident report, the investigating officer indicated that he suspected alcohol was a factor in the wreck. The family of the decedent reported that he had just left for work

Approximately fifteen minutes before the wreck and was sober. The autopsy confirmed that the decedent was not under the influence of alcohol.

After investigating the claims, an eyewitness to the crash was discovered who had called 911 (but who had not spoken to law enforcement at the scene). This eyewitness reported that it was the truck driver who crossed the center line and caused the wreck, not the Mexican immigrant.

In discovery, it was found that the truck driver had a revoked driver's license at the time of the wreck, and had a driving history that disqualified him from employment as a commercial driver. Surveillance videos of the truck driver (taken by the trucking company's workers comp carrier) also came to light that cast serious doubt on his claimed injuries.

Policy limits for the trucking company of \$1,000,000 were paid at mediation with Bill King in April of 2017.