

\$10 million verdict for injuries caused in multi-vehicle accident

Four-car pileup left plaintiff partially paralyzed in all four extremities

On July 9, 2012, 68-year-old Astley Simms was driving his pick-up truck westbound on West Broward Boulevard in Broward County, Florida. At the same time, Harry Kraft was driving a 2011 Nissan vehicle at a high rate of speed, also westbound on the same road, behind Mr. Simms and several other vehicles. Nearing the intersection of NW 69th Avenue, Mr. Kraft's vehicle rear-ended a Chevy Blazer just behind Mr. Simms, ramming the Chevy into the back of Mr. Simms' truck. The impact of that crash was so severe that it caused a four-vehicle pileup. Severely injured, disoriented, and unable to control his truck, Mr. Simms collided with another vehicle further down the road.

Mr. Simms later testified that upon initial impact, he felt pins and needles in his arms and legs, and found himself unable to lift his foot off the accelerator and unable to control the truck. When emergency personnel arrived at the scene, he was transported to Broward General Hospital where the doctors diagnosed a spinal cord injury. The injury



left him partially paralyzed in all four extremities. Due to the reckless and negligent driving by Mr. Kraft, Mr. Simms suffered severe injuries, aggravation of a pre-existing condition, pain and suffering, disability, medical expenses, and loss of earnings. Mr. Simms asked Todd Rosen of Todd Rosen Law, Miami, Florida, and SDSBS attorneys **Chris Searcy** and **Jack Scarola** to represent him.

In the personal liability action filed against Mr. Kraft, the defendant submitted a pre-trial offer of \$100,000. Defense argued that Mr. Simms' injuries were caused after he left the scene of the initial, low-impact collision, and that he negligently drove at 35 mph into a stopped van one-half mile down the road. The jury rejected the argument. Attorneys Rosen, Searcy, and Scarola pursued the case into court and in January 2014, after a two-week trial before Judge Carlos Rodriguez in the 17th Judicial Circuit in Broward County, the jury returned a compensatory award of \$10,096,567. ♦

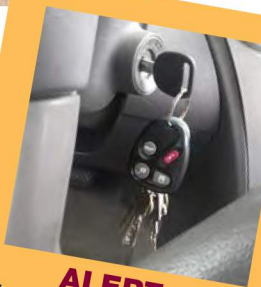
\$2.5 million awarded for death resulting from nicotine addiction

Award is the 11th verdict for SDSBS against Big Tobacco!

On March 28, 2013, a Broward County, Florida, jury returned a verdict in favor of John Sammarco, Sr., the widower of Theresa Sammarco, a lifelong Marlboro smoker who died of lung cancer as a result of being addicted to cigarettes. The jury returned a total compensatory damage award of \$2.5 million in favor of Mr. Sammarco, who lost his beloved wife of

41 years, Terry. She was just 61 years old when she died. SDSBS attorneys **Jack Scarola**, **Hardee Bass**, and **Patrick Quinlan** tried the three-week trial against Philip Morris. It marked the 11th plaintiff's verdict for SDSBS against Big Tobacco. The rejection by the defendant of a pretrial settlement offer meant that Mr. Sammarco will also be able to recover attorneys' fees and costs, expected to easily exceed \$1.5 million.

Consistent with the cigarette industry's goal of capturing young smokers in order to have "replacement smokers" lined up when smoking-related diseases killed other customers, Terry Sammarco began smoking cigarettes in 1952 when she was just 15 years old. *(Continued on page four.)*



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