

CAR ACCIDENT TURNS COSTLY FOR DEVELOPER

In February 1998, Mr. X, a land developer, was driving his car southbound when a rental vehicle crossed the center line and collided head on with his car. The force of the impact was so great that it spun Mr. X's vehicle 180 degrees and pushed it into the northbound lane. When approached by witnesses seconds after the accident, the offending driver sat in her vehicle with her head bobbing, mumbling incoherently. Fire Rescue personnel at the scene discovered evidence of prescription drug overuse and the at-fault driver was taken away to have her stomach pumped.

Mr. X was cut out of his car using the "jaws of life" and was rushed to the hospital. His injuries included fractures of the ribs, the left hip, and the right femur, tibia, and fibula. Mr X underwent several surgeries, but some had to be postponed indefinitely because Mr. X's condition was determined to be unstable. Mr. X experienced multi-system organ failure and was placed on life support for five weeks. Throughout this time, Mr. X's wife visited him daily, while keeping his land development business operating.

Mr. X eventually regained consciousness and was released from the hospital in April. He regained his ability to walk, but encountered another setback in September when doctors were required to perform a second total hip replacement. At the end of 1998, Mr. X returned to work, though in a very limited capacity.

Prior to the accident, Mr. X played a significant role in the building and selling of his homes. He would work right alongside the other workers and climb onto roofs



Scene of accident in February 1998.

to check the integrity of each man's work. Mr. X realized, upon his return from the hospital, he could no longer perform the functions of builder, construction manager, sales executive, and marketing executive. Mr. X's inability to return to his prior pace of activity forced him to sell his development business at a loss estimated to be more than \$1 million.

The woman who caused the accident had a long-standing history of prescription drug abuse. Witnesses described her driving the day of accident as erratic and out of control. They recounted that she was weaving left and right across three lanes of traffic, and she even drove over a median barrier. Shockingly, it was discovered that the offending driver had rented her vehicle just 10 minutes prior to the accident. This raised many questions about the rental agency's knowledge of her condition and their lack of responsibility in allowing her to drive in such an intoxicated state.

Attorney Cal Warriner represented Mr. and Mrs. X and recovered for them a very large, confidential settlement. Mr. and Mrs. X will use the money to pay for Mr. X's constant medical needs, as well as enjoy financial stability for the remainder of their lives. ■