

Substantial settlement for injuries suffered in car/truck collision

In October 2021, Sharon Wells (not her real name) left her southwest Florida home and horse farm for a quick trip to the local Walmart. It was a beautiful fall day as she drove along a road she traveled often. Just as she was passing a side road, a speeding pickup truck ran through the stop sign and crashed into Sharon's vehicle forcing it off the road. The violent collision deployed the airbags in her vehicle, leaving shattered glass and debris surrounding the 61-year-old woman who had been knocked unconscious. Witnesses contacted emergency responders.

Florida Highway Patrol responded to the scene along with other emergency personnel who transported Sharon to a local hospital for urgent medical attention. The rural medical facility had limited services but it was determined that Sharon had suffered neck, back, and pelvic area injuries. She was soon released with instructions to follow up their preliminary diagnosis with an orthopedist and internal medicine specialist, which she promptly did. Within days, she was receiving significant bills for her medical treatment and estimates for the damage to her totally-destroyed vehicle.

Almost immediately, she was contacted by the pickup truck's national insurer informing her that "the only liability coverage available to her was limited to \$15,000" and that a check and Release Statement would be sent to her by express mail. Sharon had never been involved in an accident nor had she ever hired an attorney. Knowing that the incident had seriously injured her and that resulting costs would be considerably more than \$15,000, Sharon sought guidance. A friend referred her to Searcy Denney attorneys, **Brian Sullivan** and **Ed Ricci**, who immediately initiated an investigation of the horrific crash.

The attorneys' investigation revealed that a national construction company was working on a multi-million-dollar construction project near her residence. It had hired local workers as well as "temporarily leasing use of their personal vehicles" to perform work on the project. The pickup truck driver was one of those hires. The attorneys contacted the construction company and placed them on notice of responsibility for their employee who caused the crash. General Construction (not their real name) responded immediately, stating that the driver of the pickup truck "had been laid off from their employment within a half-hour before the crash. As the driver was no longer an employee," the company said, "it had no responsibility whatsoever."

Meanwhile, Sharon's medical condition worsened. She required cervical fusion and significant rehabilitation. Her



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pelvic injury worsened, and she required ongoing treatment. Her health deteriorated to the point where she could no longer care for her beloved animals. She had to leave her home and move out of state to live with her daughter.

Searcy Denney filed suit on Sharon's behalf against General Construction and its driver/employee. Over the next 18 months, the attorneys initiated extensive discovery requests, taking depositions of the at-fault driver's fellow workers and foremen. The efforts eventually confirmed that at the time of the accident, the driver was in the course and scope of his employment with General. As such, Florida law would hold the company responsible for the driver's negligent actions. Liability continued to be hotly contested until the eve of the trial when a significant confidential settlement was reached. It provided not only thousands of dollars for Sharon's past medical bills but also for her necessary future care. Although Sharon can no longer care for her animals as she did prior to the crash, she continues to visit her beloved farm and animals with the help of her family, and without the worry of being unable to care for her health financially. ♦