

## **Drake successfully negotiates settlement of \$1.1 Million for clients against trucking company**

While driving home with her mother-in-law from South Carolina, our client was forced off of Interstate 20 when the front tire on an eighteen-wheeler blew. Upon entering the median, she lost control of her vehicle and it flipped over several times. During this process, her mother-in-law was thrown from the vehicle. As she was ejected, portions of her legs were severed, and she died a few hours later. Our client remained in the vehicle and sustained severe orthopedic injuries that necessitated treatment for almost a year, although some of these injuries are now permanent in nature.

Our client's husband engaged our firm to represent his family in all the claims that arose from this accident. In December of 2003, a complaint was filed in the Superior Court of Dekalb County. Upon Drake's investigation into the facts of this case, he learned that the truck driver was driving on a suspended license at the time of the accident. Of most significance, he discovered that the truck driver was cited by the Department of Transportation 8 weeks prior to the accident by having deficient treading on the tire that eventually blew and cause our client's injuries in this case. And, he found that the trucking company received a copy of this citation but did little to ensure that its driver had replaced the defective tire.

Unfortunately, the trucking company only had a \$1 million dollar liability policy and it had no significant assets to satisfy a verdict/judgment in excess of the liability policy of insurance. However, Drake was successful in convincing the two shareholders of the company to contribute \$100,000 toward the settlement from the few remaining accounts existing after the company dissolved. Thus, the case settled in December of 2005 for \$1.1 Million.