

SOUTH CAROLINA Lawyers Weekly

Rear-ender by tractor-trailer settled for \$1.8M

📌 By: Bill Cresenzo 📅 February 20, 2019

A driver who was rear-ended by a tractor-trailer has settled a lawsuit against the at-fault driver and his employer for \$1.85 million, his attorney reports.

Brandon Turner was traveling west on Interstate 20 in October 2014 when Rufus Beckett, who was operating a tractor trailer on behalf of Swing Transport, rear-ended him, said Wayne Ridgeway of Burriss & Ridgeway in Columbia.

Turner sustained neck and head injuries, but they did not manifest until about two weeks after the crash, Ridgeway said.

Beckett was driving too fast and had ignored a warning sign placed by the state's Department of Transportation about 12 miles before the scene of the crash warning drivers that traffic was stopped ahead due to another accident, Ridgeway said.

Ten months before the crash, Beckett was involved in another rear-end wreck on another stretch of I-20 and cited for driving too fast for conditions, Ridgeway said. And from May 2011 up until the 2014 crash, Beckett had been involved in six safety-related incidents including weight violations, accidents, and log and equipment violations, but had not been subjected to any form of discipline or safety training by Swing Transport at any point, Ridgeway said.

"His driver qualification file was absent any mention whatsoever of the company's concern with respect to his safety record," Ridgeway said.

The defendants focused on the damages portion of the case, Ridgeway said, noting that Turner didn't immediately seek treatment after crash and worked as a lineman for another two weeks.

"The plaintiff's prior medical history was problematic because he suffered from migraines for most of his life," Ridgeway said. "He was sent back to work, but ultimately was unable to complete his duties as a lineman and was taken out of work by his neurologist."

Turner was eventually diagnosed with occipital neuralgia, which caused debilitating headaches that his neurologist and pain management physician had a difficult time treating, Ridgeway said. He had dealt with migraine headaches that were similar to the symptoms of occipital neuralgia, but was able to keep the symptoms under control.

"I think the defense felt like they had a good case from the standpoint of causation and damages, but ultimately the punitive issues in this case were overwhelming," Ridgeway said. "This company had left a lot undone and there were a ton of issues with the driver."

Douglas Jennings and Mason King of Douglas Jennings Law Firm in Bennettsville also represented Turner.

Mark Barrow and Martin Driggers of Sweeny, Wingate & Barrow in Columbia represented the defense. They could not be reached for comment.

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VERDICT REPORT — AUTOMOBILE ACCIDENT

Amount: \$1.85 million

Injuries alleged: Occipital neuralgia

Case name: *Brandon Turner v. Rufus Beckett and Swing Transport*

Court: Florence County Circuit Court

Case No.: 2016-CP-21-00955

Judge: Michael Nettles

Date of settlement: Dec. 17, 2018

Attorneys for plaintiff: Wayne Ridgeway of Burriss & Ridgeway in Columbia and Douglas Jennings and Mason King of Douglas Jennings Law Firm in Bennettsville

Attorneys for defendant: Mark Barrow and Martin Driggers of Sweeny, Wingate & Barrow in Columbia

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