



STATEWIDE

MOTOR VEHICLE

Truck — Red Light — Intersection — Motorcycle

Wife saw trucker run red light and hit husband on motorcycle

SETTLEMENT **\$1,000,008**

CASE Rank Bridges and Connie Bridges v. Quality Trucking Inc. and Anthony E. Harris, No. Pre-Suit Settlement, TX
COURT Pre-Suit Settlement, TX
DATE 9/1/2005

PLAINTIFF
ATTORNEY(S) Scott J. Davenport, Miller, Lewis & Davenport, Houston, TX

DEFENSE
ATTORNEY(S) Robert L. Ramey, Ramey, Chandler, McKinley & Zito, Houston, TX

FACTS & ALLEGATIONS At 8:30 a.m. on April 1, 2005, plaintiff Rank Bridges, 55, a foreman for HB Zachary, was riding his Harley Davidson motorcycle on Beltway 8 in east Houston, when he took off from a green light through the intersection of Wallisville Road and Beltway 8 (East Houston) and hit the side of a fully loaded flatbed trailer. Trucker Anthony E. Harris, who was operating the flatbed, ran through a red light on Wallisville Road. Bridge's wife Connie, along with other family members, was in a car directly behind Rank's motorcycle, and she witnessed the accident. A dump truck next to Bridges at the light was able to stop and avoid getting hit by the 18-wheeler.

The Bridges made a claim against Harris and his employer, Quality Trucking Inc., Houston, alleging negligence, negligent hiring and negligent entrustment. The Bridges claimed that when the sheriff's department was called out to the accident scene to perform a standard Department of Transportation inspection, the results revealed several DOT rules and regulations violations, including the flatbed's brakes being out of adjustment.

Further, intensive investigation by the plaintiffs located several eyewitnesses who confirmed that Harris ran the red light.

INJURIES/DAMAGES *closed head injury; emotional distress; fracture, arm; fracture, leg*

Bridges sustained multiple fractures in his right arm and leg.

He also claimed traumatic brain injury. He was hospitalized for 12 days before going to the Institute for Rehabilitation and Research (TIRR). Rank had three surgeries on his leg, including one repair of his open knee fracture. Doctors performed an open reduction and internal fixation of the right bi-condylar tibial plateau fracture, applied the external fixation to the right tibial, and inserted numerous rods and pins into his right leg. Two follow-up surgeries were required for adjustment. Bridges also had a similar surgery to his right arm with doctors performing similar types of procedures.

Bridges sought \$252,000 in past medical specials, including the hospital bill of \$118,000 and a bill for about \$72,000 for seven weeks at TIRR. He estimated \$75,000 in future medical bills. His lost wages to date are \$25,000, but it is unknown when he will be able to return to work. It is too early to tell if Bridges will suffer permanent impairment but, if so, they are expected to be moderate.

Connie Bridges witnessed the incident and sought an unspecified amount of bystander damages.

The defense challenged whether Bridges' closed-head injury was as severe as he claimed.

RESULT The Bridges had just started to develop their claim for negligent entrustment when the case settled five months after the accident for policy limits of \$1,000,008, which the Bridges accepted jointly. Defense counsel was not hired by the insurer until after the policy limits Stower's demand letter was sent on Aug. 4.

INSURER(S) Home State County Mutual Insurance Co.

PLAINTIFF
EXPERT(S) Payal Fadia, M.D., B.S., neurology, Houston, TX
 (neurology/physical medicine and rehabilitation)

DEFENSE
EXPERT(S) None reported

EDITOR'S NOTE Defense counsel did not respond to a faxed draft of this report and a phone call.

—Don Maines