

Thursday, February 16, 2006

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From the January 14, 2002 North Carolina Lawyers Weekly.

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## Verdicts & Settlements

### Negligence/Auto

#### Wrongful Death - Deceased Entered Intersection On Green Light - Tractor - Trailer Ran Red - \$2.12 Million Settlement

**Brief statement of claim:** on the remaining severed parcels.

**Principal injuries (in order of severity):** Death

**Special damages:** n/a

**Tried or settled:** Settled

**County where tried or settled:** U.S.  
 Western District of North Carolina,  
 Charlotte Division

**Case name and number:** *Robert Charles Myers, as personal representative of the estate of Dianne Marie Jenner Meyers, deceased v. Randy Ormano Knight et al*

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**Date concluded:** August 21, 2001

**Name of judge:** McKnight

**Amount:** \$2.12 million

**Insurance carrier:** Confidential

**Expert witnesses and areas of expertise:** n/a

**Attorneys for plaintiff:** Joe Dozier and John Nipp of Dozier, Miller, Pollard & Murphy, LLP, Charlotte

**Other useful info:** On July 16, 1998, Dianne Myers was operating her 1995 Chrysler automobile in an easterly direction on Highway 160 in Lancaster County, South Carolina. With the green light in her direction of travel, she entered the intersection with Highway 521. After she had slowly moved only two or three car lengths into the intersection, a tractor-trailer truck traveling southbound Highway 521 ran the red light and smashed into Mrs. Myers' car, according to the plaintiff's counsel. Impacting directly in the driver's side door, the truck slammed her car

into the median. Mrs. Myers, age 47, wife and mother two adult and two teenage children, died instantly.

In August 2000, the case was mediated to an impasse when the defendants chose to end negotiations, according to the plaintiff's counsel. A year later, shortly before trial, the defendants suggested court-assisted mediation. Judge Mullen agreed to mediate. After a full day of mediation, Judge Mullen declared an impasse but encouraged the parties to continue negotiation. Direct negotiation continued and the case was settled three weeks later for three times the defendants' settlement offer at the first mediation, according to the plaintiff's counsel.

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