

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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Statewide Jury Verdict Coverage - Published Monthly

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Alabama's Jury Verdict Reporter Since 2001

In This Issue

Mobile County

Products Liability - Defense verdict p. 1

Clarke County

Auto Negligence - Defense verdict p. 2

Madison County

Medical Neg. - Defense verdict p. 3

Lee County

Uninsured Motorist - \$22,500 p. 4

Macon County

Premises Liability - \$50,000 p. 5

Baldwin County

Underinsured Motorist - \$66,000 p. 5

Etowah County

Auto Negligence - \$1.00 p. 6

Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts in Alabama including circuit, presiding judge, parties, case number, attorneys and results.

Products Liability - Plaintiff was killed when the vehicle in which he was riding as a back seat passenger was hit in a head-on crash by an intoxicated driver who was driving the wrong way on the highway; plaintiff's estate blamed his death on the allegedly defective design of the seatbelt and seat in his vehicle

Estate of Hudgens v. American Honda Motor Company, Inc., et al., 19-902886
Plaintiff: Thomas P. Willingham and Mary Leah Miller, *Beasley Allen Crow Methwin Portis & Miles, P.C.*, Atlanta, GA; and Stephen M. Tunstall, *Stephen M. Tunstall, P.C.*, Mobile
Defense: M. Warren Butler, *Starnes Davis Florie, LLP.*, Mobile; H. Lanier Brown, II, J. Patrick Strubel, and Karmen E. Gaines, *Watkins & Eager, PLLC.*, Birmingham; all for American Honda Motor Company, Inc.; Estate of Davis was *pro se*

Verdict: Defense verdict for American Honda Motor Company, Inc.; \$500,000 (comprised entirely of punitives) for plaintiff solely against Estate of Davis

Circuit: **Mobile**, 8-22-23

Judge: Jill Parrish Phillips

On 12-22-17, John Hudgens was riding in the rear passenger seat of a 2016 Honda Odyssey being driven by his daughter, Gwennie Ezell. Hudgens's wife, Kathryn, was riding in the front passenger seat. The family was traveling east on AL 158 in Mobile County. In that area AL 158 is a divided highway with the two directions separated by a grassy median.

At the same time, Ashley Davis was driving in the same area in a vehicle owned by Jeremy Davis. Although Davis was traveling west

on AL 158, she was doing so in the eastbound lane. That is, she was driving the wrong way on the highway. It would later be determined that Davis was intoxicated on a combination of amphetamines, methamphetamines, and marijuana.

An instant later, Davis collided with the Hudgens vehicle in a head-on crash. Kathryn managed to escape the crash with only minor injuries. However, her husband and daughter were both killed. For her part, Davis's vehicle ultimately came to rest following the crash and caught on fire. Davis died in the blaze.

Hudgens's estate filed suit against Davis's estate on counts for negligence and wantonness. Plaintiff also named Jeremy Davis as a co-defendant on a negligent entrustment claim. Finally, plaintiff named American Honda Motor Company, Inc. as a co-defendant based on a products liability theory relating to the design of the seat and seatbelt.

The specific counts against Honda were for negligence, wantonness, failure to warn (of the allegedly defective design), and a claim under the Alabama Extended Manufacturer Liability Doctrine (AEMLD). Plaintiff ultimately dismissed the claim against Jeremy Davis. Also, the court granted partial summary judgment for Honda on the failure to warn count.

The litigation continued against Honda on the remaining counts and against the Davis estate. It turned out that Davis had been uninsured, and the administrator of her estate