

Kentucky Trial Court Review

The Most Current and Complete Summary of Kentucky Jury Verdicts

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Civil Jury Verdicts

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

Auto Negligence/Driveway

Negligence - The plaintiff suffered serious injuries when a teen driver (who settled) pulled from a driveway and into the path of another teen – the plaintiff targeted not just the non-settling teen, but also the landowner, the entrance to her farm purportedly obscuring the view of oncoming traffic

Bostic v. Hollenkamp, 07-287

Plaintiff: Edward L. Lasley, *Conliffe Sandmann & Sullivan*, Louisville and Marvin Coles, Frankfort

Defense: Daniel E. Murner, *Landrum & Shouse*, Lexington for Hollenkamp
Guy R. Colson and Jana Smoot White, *Fowler Measle & Bell*, Lexington for Winkler

Verdict: \$425,559 for plaintiff assessed 20% to Hollenkamp; Defense verdict on liability for Winkler

Court: **Woodford**, J. Isaacs,
3-23-11

Wayne Bostic, then age 45 and a tree-trimmer with a history of an 8th grade education (and several DUIs), traveled to work on 8-29-05 in rural Woodford County. [While there was beer in his truck, alcohol played no role in the events that happened next.] A teenager, Trenton Fields, had just picked up his girlfriend at her home and was heading to school. He pulled to the end of her driveway at a farm on McCowan's Ferry Road owned by the girl's mother, Ellen Winkler. His view was purportedly obscured by a rock wall fence and shrubbery.

Fields pulled out into the path of the approaching Stacy Hollenkamp – there is a blind hill of sorts at this location. Hollenkamp, a teenager, was also on her way to school. She piloted her father's Ford SUV Excursion. Hollenkamp dodged Fields and crashed hard into Bostic's approaching pick-up truck. It

was a catastrophic crash. A passenger in Bostic's truck (not the subject of this litigation) was killed.

Bostic too was badly hurt with multiple injuries that included a rotator cuff tear, rib fractures, broken bones in his face, lacerations of his kidney and liver, the loss of eight teeth and a C-5 disc injury. He would incur medicals of \$135,559. Lost wages were \$94,149 and his impairment was valued at \$188,290. Bostic sought \$400,000 more for his pain and suffering.

In this litigation, Bostic first moved against Fields. Fields settled. The case

advanced to trial against two defendants, (1) Hollenkamp for failing to keep a proper look-out for Fields, and (2) Winkler's for maintenance of her property that obscured the vision of Fields in pulling out. An engineer expert for Bostic, Larry Gillen, Marengo, IN, suggested Winkler could install a mirror to make it easier to see oncoming traffic.

Hollenkamp's defense was simple – as she approached the driveway, Fields pulled into her path and she took evasive action as well as she could. Her accident expert was Vince Sayre, Lexington.

Winkler too denied the maintenance of

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[Co-counsel for plaintiff was Owensboro attorney, Travis Holtrey.]

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