

Kentucky Trial Court Review
September 2022
Table of Contents

Verdicts

Jefferson County

Auto Negligence - The plaintiff complained of the aggravation of a pre-existing hip dysplasia condition after a stop sign crash – the plaintiff took her medicals as claimed and \$100,000 more for her pain and suffering - \$116,443 p. 7

Floyd County

Products Liability - In a horrific and tragic head-on crash on Christmas Eve (occasioned by an intoxicated driver), three members of the same family were killed, one other was seriously hurt and a fifth suffered moderate injuries – in this lawsuit the plaintiffs, representing the three estates and two surviving plaintiffs as well as related consortium interests of two others not in the vehicle, it was alleged the Hyundai had a manufacturing defect in a weld in its bumper (it was too short by a fraction of an inch) and this led to the bumper’s separation and failure which caused death and enhanced injury - Defense verdict p. 1

Harrison County

Medical Negligence - An elderly plaintiff was admitted to the hospital with stage IV cancer and other co-morbidities – his doctor prescribed TED hose as a thromboembolic deterrent – four days later the plaintiff was taken to UK Hospital with pressure injuries to his lower extremities that were linked to the failure to regularly remove the TED hose and check for skin compromise - \$3,253,897 p. 4

Boone County

Whistleblower Act - A supervisor working as a social worker for the Cabinet for Health and Family Services alleged he suffered retaliation after he wrote a letter to a state ombudsman that cited some 93 instances where children in the state’s care were mistreated - \$2,000,000 p. 5

Warren County

Truck Negligence - The plaintiff was left a quadriplegic in a head-on collision when the Mazda Miata in which she was a passenger was struck head-on by a 60,000 pound concrete pumping truck – while the plaintiff’s driver (her husband who died in the crash) had crossed the centerline, the plaintiff theorized the defendant trucker still had time to brake or evade the collision - Defense p. 6

Franklin County

Whistleblower Act - Three Kentucky State Police officials (two sergeants and a lieutenant) alleged they suffered reprisals after they complained to a local Commonwealth Attorney that a fellow KSP officer in charge of a local property room stole from the property room – the jury found for all three plaintiffs and awarded a total of \$900,000, representing separate \$500,000, \$200,000 and \$200,000 awards in punitive damages - \$900,000 p. 8

Fayette County

Underinsured Motorist - The plaintiff complained of a disc injury after a right-of-way crash – he settled with the tortfeasor for her \$50,000 policy limits and then sought UIM coverage from his carrier – while the plaintiff took damages at trial, they were less than the underlying limits and PIP and a defense judgment was entered for the insurer - \$61,842 p. 9

Notable Indiana Verdict

Columbus, Indiana

Auto Negligence - Plaintiff suffered a spinal ligament injury in a crash that happened when defendant attempted to make a left turn from the right lane; the jury awarded plaintiff damages that were nearly eighteen times his out-of-pocket medical expenses - \$300,000 p. 10