

The Louisiana Jury Verdict Reporter

The Most Current and Complete Summary of Louisiana Jury Verdicts

November 2019

Statewide Jury Verdict Coverage

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Civil Jury Verdicts

Timely coverage of civil jury verdicts in Louisiana including court, division, presiding judge, parties, case number, attorneys and results.

Truck Negligence - In a strange incident, the plaintiff (after a minor wreck and while walking on the side of the interstate) was struck and injured by debris from the crash that was kicked up by a passing motorist – the plaintiff blamed the other driver involved in her minor crash for setting the scene for her to be injured

Tredick v. Ekugbere, 3:17-103

Plaintiff: Sean D. Fagan and C.

Locke Meredith, Jr., *Meredith Fagan & Associates*, Baton Rouge, LA

Defense: Matthew L. Mann and Adrienne D. Rachel, *Porteous Hainkel & Johnson*, Baton Rouge, LA

Verdict: \$242,303 for plaintiff assessed 40% to the defendant

Court: **Louisiana Middle - Baton Rouge**

Judge: John W. deGravelles

Date: 10-17-19

Heather Tredick, age 30, had a difficult day on 1-24-16. She traveled in a vehicle with her boyfriend on I-59 in St. Tammany Parish. They were arguing. Tredick had enough. She told her boyfriend to let her out. He agreed and she exited the vehicle. Tredick wasn't wearing shoes and had no particular plan other than to just walk alongside the interstate.

A short time later a good Samaritan of sorts, Frederick McCunnin, pulled over and offered assistance to Tredick. They had a short conversation and Tredick agreed to accept a ride. McCunnin then pulled back onto I-59.

As McCunnin merged from the emergency lane to the right lane of the two-lane interstate, his vehicle

was struck by the passing Bazunu Ekugbere. It was a moderate collision and it left debris from the two vehicles on the traveled portion of the highway. However no one was injured.

Tredick then exited the McCunnin vehicle and was now standing on the side of the interstate. She would later explain she was checking on the people in the other car. Not a minute or so had yet passed since the first wreck.

Just then a silver vehicle, a phantom of sorts, sped through the scene of the crash. The vehicle struck debris from the initial crash and kicked it up into the air. That debris struck Tredick hard.

Tredick suffered several serious injuries from the debris contact including a severely fractured arm, a liver laceration and broken ribs. The impact was significant enough that Tredick next remembered waking up on the way to the hospital. Her arm was surgically set. The fracture did not heal well and it had to be revised. Her recovery was grueling and painful.

In this lawsuit Tredick sued Ekugbere and alleged negligence by him in setting the scene for her injury. While it was true that in the initial Ekugbere-McCunnin crash there was no injury, it was Ekugbere's initial negligence that created the dangerous debris field. Tredick had also sued McCunnin – that claim was resolved short of trial.

Ekugbere, a Farm Bureau insured, defended on several fronts. The first