

# The Tennessee Jury Verdict Reporter

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Statewide Jury Verdict Coverage

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## **Truck Negligence - The plaintiff complained of a shoulder injury (tendonitis) after a sideswipe collision with a tractor-trailer – a Nashville jury valued his non-economic damages at \$100,000**

*Woods v. Mr. Bult's Inc.*, 21-838

Plaintiff: Ali Toll, *The Toll Firm*, Goodlettsville

Defense: Richard C. Mangelsdorf, *McAngus Goudelock & Courie*, Brentwood

Verdict: \$116,592 for Dante  
\$2,153 for Blake (Minor)

Court: **Davidson**

Judge: Joe P. Binkley, Jr.

Date: 3-1-23

Early on the morning of 10-1-20, Dante Woods, then age 37, traveled on I-40. His infant daughter, Blake, was a passenger in the vehicle. Woods would later allege that as he moved at highway speed, a tractor-trailer (Montgomery Schultz driving for Mr. Bult's, Inc.) changed lanes and struck his vehicle in a sideswipe collision. Schultz for his part contested liability.

In any event there was a moderate collision and Woods recalled striking his shoulder inside his vehicle. Both Woods and his daughter were transported by ambulance to the ER at Vanderbilt to be checked out. They were treated and released. Fortunately his daughter was not seriously hurt.

Woods has since treated for shoulder pain. He also treated with a chiropractor. A plaintiff's expert, Dr. Son Le, Physical Medicine, confirmed a tendonitis injury in Woods' shoulder

that was evident on a CT scan. Le linked the injury to the crash and noted Woods had improved symptoms after a course of physical therapy. Wood still reports an aching pain in his shoulder.

In this lawsuit Woods sought damages from Schultz and his employer. Woods sought his medical bills, lost wages (he's a Fed Ex delivery driver) as well as non-economic damages. Woods also sought his daughter's medical bills.

The defense of the case contested liability and also diminished the claimed injury. Particularly it was argued that a sideswipe crash was not the sort of impact that is associated with a shoulder injury.

This case was tried for three days in Nashville. The jury found the defendant solely at fault and rejected any negligence by Woods. Woods then took his medicals of \$12,651 plus lost wages of \$3,940.

The jury moved to non-economic damages and Woods took \$50,000 each for past and future pain and suffering. His award totaled \$116,592. The jury awarded his daughter's medical bills (her only element of damages) of \$2,153. The combined verdict for the plaintiffs totaled \$118,745. A consistent judgment was entered by the court.

### **Case Documents:**

[Complaint](#)

[Jury Verdict](#)

[Final Judgment](#)