

The Tennessee Jury Verdict Reporter

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August 2023

Statewide Jury Verdict Coverage

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Auto Negligence - The plaintiff, a Georgian driving in a carpet installation van, complained of a shoulder and low-back injury after a rear-end collision on I-24 – a Nashville jury awarded special medical damages of \$137,000 but just \$13,000 for the plaintiff's pain and suffering – the non-economic damages were just 9.4% of the special damages representing a paltry 1 to 10 ratio

Valladores v. Plant, 20-737

Plaintiff: Allen Gressett and Jason Dollard, *Schwed Adams & McGinley*, Memphis

Defense: Nathan E. Shelby and Annabelle P. Harris, *Rainey Kizer Reviere & Bell*, Nashville

Verdict: \$150,000 for plaintiff

Court: **Davidson**

Judge: Amanda McClendon

Date: 6-26-23

Edwin Valladores, then age 49 and

a Georgian, was driving through Nashville on I-24 on 3-27-19. He works in the carpet installation business and was driving a Ford Transit van that was visibly marked with his employer's logo. A moment later he was rear-ended by Victoria Plant (in a BMW SUV) and the Valladores van was knocked into the next vehicle.

The two collisions (first a rear-ender and then a secondary front-end collision) resulted in minor damage. The vehicles were driveable from the scene. Plant conceded fault.

Valladores went to a local ER that day and was treated and released. Thereafter he treated for some nine months with a chiropractor for low-back pain. An MRI then showed an L5-S1 disc injury and Valladores was ultimately seen by an orthopedist. Valladores has also treated for a shoulder injury.

In this lawsuit Valladores sought damages from Plant. Those damages included his medical specials (past and future) as well pain and suffering. While Plant conceded fault for the wreck, she did contest causation.

In that regard Plant employed a records review IME, Dr. Garrison Strickland, Neuropsychology, Nashville. The expert thought that the wreck was minor Valladores had suffered just a temporary



The plaintiff's work van