

The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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Statewide Jury Verdict Coverage - Published Monthly

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Alabama's Jury Verdict Reporter Since 2001

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Civil Jury Verdicts

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

Truck Negligence - The plaintiff, a daycare teacher, age 22, suffered very serious injuries when struck by a tow truck that ran a red light – her injuries included multiple fractures to her legs, a shattered knee, broken arm, orbital blow-out fracture, lacerated liver and spleen among others, and after eight days in the hospital, she was confined to a bed in her living room for 90 more days where she slept, ate and used the bathroom – while mostly recovered and back to work, the plaintiff continues to have ongoing pain that is expected to increase as she ages – a Columbiana jury awarded damages of \$8,000,000 (for pain and suffering only) and after a defense motion for a new trial was denied, the defendant has appealed

Richardson v. Kirkland Towing,

21-900620

Plaintiff Don McKenna and Kenneth E. Riley, *Farris Riley & Pitt*, Birmingham

Defense: Lisha L. Graham and Jackson M. Neal, *White Arnold & Dowd*, Birmingham

Verdict: \$8,000,000 for plaintiff

Circuit: **Shelby**, 6-12-25

Judge: Jonathan A. Spann

It was after dark and a heavy rain was falling on Halloween in 2019. The plaintiff, Kaitlin “Katie” Richardson, age 22 and a daycare teacher, was driving a mid-size sedan on CR 95 at Industrial Road in Jefferson County. At the same time Matthew Hadaway was driving a tow truck for Kirkland Towing. Hadaway ran a red light and turned left in front of Richardson. His rollback tow truck (it weighs 18,500 pounds) was traveling at 27 mph

when it crashed into Richardson’s vehicle. It was a catastrophic collision and her car was destroyed.

Richardson was taken by ambulance to the UAB Hospital with very serious injuries. She came under the care of a trauma surgeon, Dr. Jonathan Quade. Richardson had suffered numerous fractures. They included an open left femur fracture as well as a broken right femur fracture. Her knee was shattered. Richardson’s liver (Grade V) and kidney (Grade I) were lacerated and but for a surgical repair (she underwent four surgeries overall), she would have died. She also had 11 broken ribs, a collapsed lung, a broken left wrist and arm as well as a fractured eye socket described as an orbital blow-out fracture.

Richardson was hospitalized for eight days. She then returned home and was confined to a hospital bed in her living room. She lived, ate, used the bathroom and slept in that room for three months. During that period she was unable to bathe because of her injuries. Her medical bills of \$500,000 (not sought by her) were written off by BlueCross BlueShield to just \$110,000.

Richardson enjoyed a remarkable recovery and was back to work in six months. However Richardson reports ongoing pain that she describes as a four out of ten on a daily basis with regular spikes. Dr. Quade indicated Richardson will likely need a future knee replacement. There was proof she’ll endure this pain for her 50-year live expectancy. She has metal rods in each femur, part of her knee was removed and she was several screws and hardware in her hips and knees.

truck as he headed east on U.S. 90 in Daphne. At the same time, David Gonzales, also age 68, was driving north on AL 181 in a 2017 GMC Acadia Limited SLT-2 SUV on his way to Lowe's. Finally, 24 year-old Alana Edgar was driving south on AL 181 in a 2017 Acura RDX.

McKeown stopped for a red light at the intersection of the two roads with the intention of making a right turn. Gonzales and Edgar both also arrived at the intersection at the same time and were facing each other. Edgar planned to go straight, while Gonzales intended to turn left.

Gonzales began his turn on a flashing yellow light, while Edgar had a green light. Gonzales failed to yield the right-of-way and made his turn in Edgar's path. An instant later, the two collided. The impact caused Edgar's vehicle to deflect from its path and collide with McKeown's pickup.

All three vehicles were towed from the scene. McKeown did not complain of any immediate injury. However, he began to experience neck pain that developed gradually over the next couple of weeks. He also developed numbness and a burning sensation in both hands, though more so in his right than in his left hand.

The record does not describe the nature of McKeown's medical treatment or the amount of his medical expenses. He filed suit against Gonzales and blamed him for failing to yield the right-of-way to Edgar, turning in her path, and thereby setting in motion the chain of events that led to his injury.

McKeown's wife, Karen McKeown, also presented a derivative claim for her loss of consortium. Plaintiffs alleged counts for negligence and wantonness. Finally, plaintiffs presented an underinsured motorist claim against their own insurer, State Farm.

Gonzales initially asserted the affirmative defenses of contributory negligence and assumption of risk. However, he later withdrew those defenses and essentially admitted fault in his deposition. Also, plaintiffs' claim for wantonness was dismissed, and State Farm opted out of the case.

Plaintiffs' claims having thus been simplified simply to negligence and loss of consortium, Gonzales focused his defense on minimizing the claimed damages. The case was tried for three days in Bay Minette.

The jury returned a mixed verdict and found for plaintiffs on the claim for negligence. They were awarded damages of \$5,000. The jury rejected Karen's consortium claim. The court entered a judgment for plaintiffs in the amount of \$5,000.

Plaintiffs filed a post-trial motion for costs of \$7,282. The court granted the motion as to Gonzales but denied it as to State Farm.

Case Documents:

[Jury Verdict](#)

[Final Judgment](#)

Historical Alabama Verdict

Products Liability - The son of the local circuit court clerk sustained a serious head injury, blaming GM in this action for a collapsing passenger compartment

Jernigan v. General Motors, 00-0104

Plaintiff: J. Greg Allen and Jere L.

Beasley, *Beasley Allen Crow &*

Methvin, Montgomery, Lynn W.

Jinks, III, *Jinks Daniel Crow & Seaborn*,

Union Springs and Walter E.

McGowan, *Gray Langford Sapp Davis*

& McGowan, Tuskegee

Defense: Robert D. Hays and

Jameson B. Carroll, W. Ray Persons

and L. Frank Coan, Jr., *King &*

Spalding, Atlanta, GA and James L.

Martin, *James Martin, P.C.*, Eufaula

Verdict: \$122,000,000 for plaintiff

Circuit: **Bullock**

Judge: Burt Smithart

Date: May 2, 2002

On 12-10-99, Jeffrey Jernigan, then age 12, was a front-seat passenger with his brother, Nicholas, age 17. In a 1993 Delta 88, manufactured by General Motors, they were traveling a short distance to drop off medication at their grandmother's home. They proceeded on Hwy 29, just south of Union Springs. At the same time, Valeria Crittenden approached from the opposite direction. She drove a 2000 Grand Prix.

In a curve, Nicholas crossed the line, and the two sedans collided in a serious right front offset impact. Jeffrey was seriously hurt, the passenger compartment in the Delta 88 having collapsed. In that collapse, Jeffrey's head struck the A-pillar.

The results were devastating to the boy. He had sustained a depressed skull fracture and at the scene, brain matter was visible. Trapped in the car for forty-five minutes, he was then taken to the ER in Montgomery. The next day, Dr. Donovan Kendrick,

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