

# 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.

**Products Liability - A tractor-trailer driver was rendered a quadriplegic due to a rollover crash that happened when another motorist crossed the centerline; plaintiff pursued claims against the manufactures of the tractor and alleged the tractor and its seating system were defective and failed to protect him during the rollover**

*Street v. Daimler Truck North America, LLC., et al., 23-900002*

Plaintiff: Benjamin E. Baker, Jr., Kendall C. Dunson, and Wyatt P.

Montgomery, *Beasley Allen Crow Methvin Portis & Miles, P.C.*,

Montgomery and Mobile; Ralph Edward Massey, III, *Clay Massey & Associates*, Mobile; and Matthew C.

Drinkard, *Wilson Drinkard & Drinkard, LLC.*, Grove Hill

Defense: H. Lanier Brown, II and Karmen E. Gaines, Birmingham and Jennifer A. Rogers, Jackson, MS all of *Watkins & Eager, PLLC.*, Robert D.

Keahy, *Williams & Keahy, LLC.*, Grove Hill; and Lee B. Ziffer, *Kuchler Polk Weiner*, New Orleans, LA

Verdict: \$160,000,000 for plaintiffs (allocated \$75,000,000 in compensatory damages and \$75,000,000 in punitive damages to Leonard Street and \$10,000,000 to Tracy Street for loss of consortium)

Circuit: **Clarke**, 9-6-24

Judge: J. Perry Newton

In the morning of 6-22-22, Leonard Street, then age 60< (a forty-year trucking veteran) was driving a 2023 model year Western Star 4700 SF semi truck owned by his employer, Scotch Plywood, Inc. The truck was pulling a forty-five foot trailer loaded with stacks of plywood as Street traveled east on AL 84 in rural Clarke County near Grove Hill.

At the same time, a 2019 Ford F250 pickup truck being driven by Loran Richardson was also traveling in the same area. Richardson's pickup was pulling a 45-foot trailer, and he was on the job for his employer, Dothan Tarpaulin Products, Inc.

As the two vehicles drew near each other, Richardson crossed the centerline into Street's lane and collided with his driver's side wheel area. This caused Street to lose control, and his tractor-trailer proceeded to roll over. He had been traveling at some 37 mph when the rollover began.

During the rollover, the roof of Street's tractor cab was crushed. At the same time, the air suspension seat in which he was sitting propelled him upward toward the roof. This combination of forces caused Street to suffer a fracture in his neck and a spinal cord injury that has left him an incomplete quadriplegic. That is, he is quadriplegic, though he retains some function and sensation.

It turned out that the tractor had been designed and manufactured by a company now known as Daimler Truck North America, LLC. Daimler had produced this line of tractors for its client, Western Star Truck Sales, Inc. A company called CVG Alabama, LLC. d/b/a National Seating had been involved in the design of the tractor's seating system.

In the wake of the crash Street filed suit against Richardson and Dothan Tarpaulin Products, Inc. He blamed Richardson for causing the crash, and he targeted Dothan Tarpaulin on a theory of vicarious liability.

driving a vehicle owned by Big Rig. Based on that version of the facts, Laswell named Big Rig as a co-defendant on a theory of vicarious liability.

Although Lucas had separate legal counsel in the case, it appears that the litigation proceeded mainly against Big Rig. The company defended the case denied owning the vehicle Lucas had been driving. Instead, Big Rig claimed Lucas's van was actually owned by Lucas's father.

Furthermore, Big Rig denied that Lucas was doing any work for Big Rig at the time of the crash. Rather, Lucas was on her lunch break and was traveling to her father's place of employment to have lunch with him. Thus, Lucas was on an entirely personal errand that had nothing to do with her employment.

The case was tried for two days in Scottsboro. Interestingly, Lucas is not mentioned on either the verdict form or the judgment. In any event, the jury returned a verdict for Big Rig Truck Parts, LLC., and the court entered a defense judgment.

#### Case Documents:

[Jury Verdict](#)

[Final Judgment](#)

### **Race Discrimination-Harassment - A cancer researcher (of Iranian descent) at UAB alleged she suffered severe racial harassment for years by a co-worker, and then separately that she was arrested and jailed for 30 hours (after a scuffle with her boss) in retaliation for threatening to report the harassment to the department chair – the researcher then sued the alleged harassing co-worker individually regarding that harassment as well as UAB for retaliation**

*Moeinpaur v. UAB*, 2:21-1302  
Plaintiff: Teri Ryder Mastando, Eric J. Altrip and Anthony Mastando, *Mastando & Altrip*, Huntsville  
Defense: Anne R. Yeungert and Cortlin L. Bond, *Bradley Arant Boulton Cummings*, Birmingham for Cagle  
Lynlee Wells Parker and Daniel B. Harris, Birmingham and Dion Y. Kohler, Atlanta, GA all of *Jackson Lewis* and David R. Mellon, *UAB Office of Counsel*, Birmingham, all for UAB

Verdict: \$3,825,000 for plaintiff assessed \$3,000,000 to UAB and \$825,000 to Cagle (co-worker)

Federal: **Birmingham**, 9-9-24

Judge: R. David Proctor

Fariba Moeinpaur, age 62, began her work in 2005 as a cancer researcher at UAB School of Medicine. She was born in Iran (and is of Persian descent) and immigrated to the U.S. in 1989. Moeinpaur is a naturalized citizen. Her supervisor was Dr. Clinton Grubbs, who in turn reported to the Department Chair, Dr. Bruce Chen.

Moeinpaur began to work in 2011 with a co-worker, Mary Jo Cagle. Cagle was a secretary. The two had a long-time conflict that rose to the level of severe and pervasive racial harassment. Moeinpaur alleged that Cagle regularly engaged in verbal harassment. The list of events was

long and included Cagle telling Moeinpaur, "You've got a weird ass name," "Go back to Iran. We don't need your kind." "As a non-believer Moeinpaur would burn in hell," among other similarly offensive remarks. Moeinpaur also alleged Cagle stalked her and even brandished a weapon.

Moeinpaur alleged she made complaints over the years about Cagle's conduct and nothing was done. By February of 2020, Moeinpaur had enough. She had a conversation with Grubbs and indicated she wanted to report Cagle's conduct. Grubbs dissuaded her from doing so because of his belief that Cagle was mafia-connected and there would be repercussions. Moeinpaur recorded the conversation.

Moeinpaur was not deterred and met the next day with Grubbs in his office. She indicated that she would report the harassment to Dr. Chen. It's not clear what happened next as there are differing versions. Moeinpaur indicated Grubbs attacked her in a rage as he feared her reporting Cagle's harassment. In self-defense Moeinpaur slapped Grubbs to get away. Grubbs for his part thought it was he who had been assaulted by Moeinpaur.

Grubbs in fact called the police for relief. The police then arrested Moeinpaur and charged her with Domestic Violence third degree. Moeinpaur was then jailed for 30 hours. The criminal charges against her were later dismissed. A few days later when she didn't return to work, UAB fired her.

Thereafter Moeinpaur filed this lawsuit against Cagle individually as well as UAB. The claim against Cagle was that her campaign of racial harassment had interfered with Moeinpaur's 42 U.S.C. § 1981's contract rights. Moeinpaur's proof burden was that the harassment