The Alabama Jury Verdict Reporter

The Most Current and Complete Summary of Alabama Jury Verdicts

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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.

Medical Negligence - A podiatrist prescribed allopurinol for a patient who had chronic kidney disease and was taking a diuretic; the patient claimed that the excessive initial dosage caused her to develop Stevens-Johnson syndrome, a potentially fatal drug reaction

Rembert v. Lee-Sanders, et al., 20-902777
Plaintiff: Julia T. Cochrun and W. Whitney Seals, *Cochrun & Seals, LLC*, Birmingham
Defense: J. Allen Sydnor, Jr. and William T. Thompson, *Huie Fernambucq & Stewart*, Birmingham
Verdict: $1,000,000 for plaintiff
Circuit: **Jefferson**, 10-12-26
Judge: Charles "Chuck" Price

On 8-20-18, Lisa Rembert visited her primary care physician, Dr. Rian Montgomery, at Simon-Williamson Clinic in Birmingham, complaining of left ankle pain. Rembert had a history of gout, which Montgomery had treated with Colcrys during acute attacks. She also had chronic kidney disease and was taking Bumex, a diuretic.

Montgomery referred Rembert to Dr. Tameka Lee-Sanders, a podiatrist at the clinic, for evaluation of her ankle complaints. Lee-Sanders examined Rembert on 8-29-18 and ordered laboratory testing. The results showed an elevated uric acid level of 11.6.

On 8-31-18, a medical assistant from Lee-Sanders's office called Rembert and informed her that the podiatrist had prescribed allopurinol, 300 mg daily, to lower her uric acid level. The prescription was written for 12 months. According to Rembert, neither Lee-Sanders nor her staff warned her about the drug's potential adverse effects or arranged for follow-up monitoring.

Allopurinol is used to reduce elevated uric acid levels, including in patients with gout. Rembert would later claim that the initial dosage was excessive in light of her chronic kidney disease and use of a diuretic. She maintained that these conditions increased her risk of developing Stevens-Johnson syndrome, a rare and potentially fatal drug reaction affecting the skin and mucous membranes.

On 9-20-18, Rembert returned to Montgomery for a previously scheduled appointment. After learning of the prescription, Montgomery reduced her allopurinol dosage to 100 mg daily because of her kidney disease.

Four days later, Rembert presented to Princeton Baptist Hospital with fever, weakness, throat pain, swelling, and other symptoms. She was admitted to intensive care and diagnosed with Stevens-Johnson syndrome. Her condition involved painful inflammation and blistering of her skin and mucous membranes. She remained hospitalized until 10-8-18.

Rembert claimed that the reaction caused lasting injuries, including scarring, skin discoloration, itching, and hair loss. She received subsequent dermatological treatment. Her treating dermatologist, however, maintained that treatment provided after November 2018 was unrelated to Stevens-Johnson syndrome.

Rembert filed suit against

Historic Alabama Verdicts

This month our historic section has a theme – food cases. We look to several food contamination cases (one is almost 100 years old), as well as a relatively modern "hot" food exposure case from 2004.

Food Preparation Negligence

A school girl fell ill when she drank from a bottle of soda that purportedly contained a cigarette butt

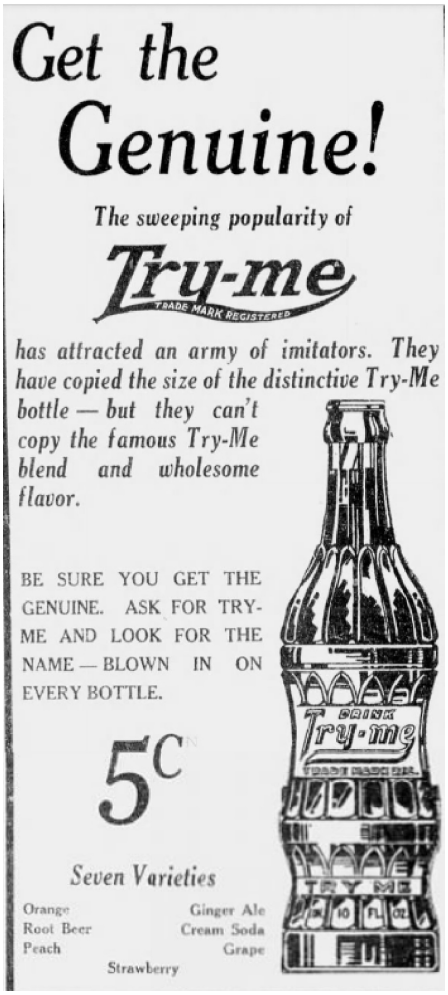
Harris v. Try-me Beverage
Verdict: $150 for plaintiff
Circuit: **Jefferson**
Date: 1927

The Try-me Beverage Company was launched in 1924 in Sylacauga. It produced flavored drinks in a distinctive bottle. The plaintiff, Catherine Harris, purchased a bottle of a grape-flavored Try-me at the St. Mark School in April of 2025. It was sold at a stand at the school. Try-me was famous for selling for a nickel.

Harris noticed the drink tasted bad. She immediately fell ill and suffered nausea and vomiting. The girl was treated and released.

Harris sued Try-me and the case came to trial in 1927. The date is not known. The girl prevailed and took a verdict of $150. That would be about $3,000 in 2026 dollars. Try-me had argued that maybe it was another grape-flavored drink with a Try-me bottle cap. Who knows? It was possible. The jury rejected this ridiculous argument.

Try-me appealed and the Alabama Supreme Court affirmed the verdict in March of 1928. **See** *Try-me Beverage v. Harris*, 116 So. 147 (1928). Whatever happened to Try-me? It faded out in the 1950s when its founders died. The bottles are still considered to be highly collectible.



A 1927 Try-me advertisement

Food Preparation Negligence

The plaintiff was sickened after eating canned pork and beans that were contaminated

Ferguson v. Stokely Van Camp Corporation
Plaintiff: Andy Hamlet, Jr., Scottsboro
Defense: J.A. Lee, Scottsboro
Verdict: $1,750
Circuit: **Jackson**
Judge: John Snodgrass
Date: March 13, 1957

Etsel Ferguson bought a can of Stokely Van Camp pork and beans at the Claude Sartin Grocery in Stevenson, AL in January of 1956. Ferguson ate the product and became violently ill with gastroenteritis.

Ferguson sued Stokely Van Camp and alleged it was negligent in preparing the canned product. The case was tried to a Jackson County jury in March of 1957. Ferguson prevailed and took damages of $4,500. That would be $50,000 or so in 2026 dollars.

Stokely Van Camp appealed. The Alabama Supreme Court affirmed in August of 1959. See *Stokely Van Camp v. Ferguson*, 122 So.2d 356 (1959).

Restaurant Negligence - A woman purchased a cheeseburger at a McDonald's restaurant; after eating part of the cheeseburger, she discovered it contained feces

Eblen v. Barnes, 03-2999
Plaintiff: Richard R. Williams, Mobile
Defense: Thomas M. Galloway, Jr., *Galloway Smith Wettermark & Everest*, Mobile
Verdict: $20,000 for plaintiff
Circuit: **Mobile**, 3-9-05
Judge: James C. Wood

On 11-29-02, Jennifer Eblen visited the McDonald's restaurant located at 367 Azalea Road in Mobile. Eblen purchased a cheeseburger and then

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