

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 - A tractor-trailer that missed its exit backed up on the interstate against traffic and crashed into plaintiff; the jury awarded plaintiff substantial compensatory damages but rejected the imposition of punitive damages

Gammons v. Kenan Advantage Group, Inc., et al., 22-901069

Plaintiff: Robert L. Mitchell and Amanda H. Herren, *Cunningham Bounds, LLC.*, Mobile

Defense: Thomas L. Oliver, II, Andrew P. Anderson, and E. Glenn Smith, Jr., *Carr Allison*, Birmingham and Daphne

Verdict: \$1,309,000 compensatory damages for plaintiff; \$0 punitives

Circuit: **Mobile**, 5-22-24

Judge: Jay A. York

In the pre-dawn hours of 1-5-22, Michael Madrill, Jr. was driving a tractor-trailer for his employers, Kenan Advantage Group, Inc. and Kenan Transport, LLC. Madrill was hauling hazardous material as he traveled west in the left lane of I-10 near mile marker 27.9 toward Wallace Tunnel in Mobile County.

It was Madrill's intention to exit the interstate at exit 27. However, Madrill missed the exit. He chose to deal with that error by backing up against traffic. In doing so, he crashed into a vehicle being driven by Darrin Gammons. Gammons is a well-known and longtime Gulf Shores DJ who spins the hits at Sunny 105.7 FM.

The record does not reveal the nature of Gammons's claimed injuries or the amount of his medical expenses. He filed suit against Madrill and blamed him for driving recklessly, backing up on the interstate, and crashing into him.

Gammons targeted Madrill's employers on a theory of vicarious liability. If successful, Gammons sought both compensatory and punitive damages. Interestingly, however, he chose not to make a claim for his medical expenses. The defense of the case focused on minimizing Gammons's claimed injuries.

The case was tried for two days in Mobile. The jury returned a verdict for Gammons and awarded him compensatory damages of \$1,309,000. The jury rejected any award of punitive damages. The court entered a judgment that reflected the verdict, and it has been satisfied.

Case Documents:

[Plaintiff Trial Memorandum](#)

[Defense Trial Memorandum](#)

[Jury Verdict](#)

[Final Judgment](#)

Edwards denied he'd used excessive force. He postured that his use of force was reasonable in responding to the threat created by Brooks including the large fire.

Judge Axon's liability instruction asked if Edwards "intentionally committed" acts that violated Brooks' right to be from excessive force. The jury said "no" and there was no award of damages. A defense judgment was entered and the case is closed.

Case Documents:

[Pretrial Order](#)

[Jury Verdict](#)

[Final Judgment](#)

Auto Negligence - Plaintiff sought recovery for injuries she sustained in an intersection crash in Calhoun County

Kulp v. Knight, 18-900654

Plaintiff: Thomas J. Knight, *Hubbard & Knight*, Anniston; and Victoria A.C.V. Wilson, *Victory Law, LLC.*, Anniston

Defense: Tracy N. Hendrix, *Gaines Gault Hendrix, P.C.*, Birmingham

Verdict: \$5,000 for plaintiff

Circuit: **Calhoun**, 4-15-24

Judge: Timothy C. Burgess

A crash took place on 11-14-16 in Anniston. It happened at the intersection of Johnston Avenue and E. 10th Street when a 2007 Ford Fusion driven by Judy Knight collided with a 2009 Nissan Pathfinder driven by Shirley Kulp.

The record does not reveal the nature of Kulp's claimed injuries or the amount of her medical expenses. She filed suit against Knight and blamed her for causing the crash. Additionally, Kulp presented an underinsured motorist claim against her own insurer, Country Mutual Insurance Company.

Country Mutual opted out of the case. The litigation proceeded thereafter solely against Knight. She

defended the case and sought to minimize Kulp's claimed injuries.

The case was tried in Anniston. The jury returned a verdict for Kulp and awarded her damages of \$5,000. The court entered a judgment for Kulp in that amount.

Case Documents:

[Jury Verdict](#)

[Final Judgment](#)

Truck Negligence - A motorcyclist suffered injuries to his knee and shoulder in a crash he claims happened when an approaching tractor-trailer rounded a curve on a rural road and crossed the centerline

Schubert v. Tudors, et al., 20-901033

Plaintiff: C. Anthony Graffeo, *Shunnarah Injury Lawyers*, Huntsville
Defense: Andrew J. Sinor, Jr., Anne G. Burrows, and Robert T. Clark, *Hand Arendall Harrison Sale, LLC.*, Birmingham

Verdict: Defense verdict

Circuit: **Madison**, 3-6-24

Judge: Patrick M. Tuten

On 4-27-20, Joshua Schubert was riding a Honda motorcycle as he traveled west on Mulberry Road in rural Madison County. At the same time, a tractor-trailer being driven by Irvin Tudors approached from the opposite direction. Tudors was on the job for his employer, Hood Industries, Inc.

As the two vehicles drew near each other, Tudors rounded a curve in the road. In doing so he allegedly crossed the centerline. The record is unclear as to whether Tudors's rig made physical contact with Schubert's motorcycle. What is known is that Schubert crashed.

Tudors did not stop and instead proceeded onward toward a Hood Industries facility in Tennessee. In the immediate aftermath of the crash, a bystander in the person of Dan Johnston arrived on the scene and

found Schubert trying to move his motorcycle off to the side of the road.

Johnston, a retired law enforcement officer, did not witness the crash, but he stopped and spoke briefly with Schubert. When Schubert explained what had happened, Johnston immediately turned around and pursued Tudors into Tennessee.

Along the way Johnston contacted Tennessee law enforcement and asked them to intercept Tudors and direct him to return to the scene of the crash in Alabama. They apparently did so, and a police investigation of the crash was launched.

Schubert, who was self-employed as a foundation repair specialist, suffered injuries to his knee and left shoulder that he attributed to the crash. He underwent surgical repairs of those injuries followed by physical therapy and was unable to work during his 90 day recuperation period. The record does not reveal the amount of his medical expenses.

Schubert filed suit against Tudors and blamed him for driving recklessly and causing the crash. Schubert targeted Hood Industries on a theory of vicarious liability. If successful, Schubert sought both compensatory and punitive damages. Defendants denied causing the crash and sought to minimize Schubert's claimed injuries.

The case was tried for three days in Huntsville. The jury returned a verdict for Tudors and Hood Industries, and the court entered a defense judgment.

Case Documents:

[Jury Verdict](#)

[Final Judgment](#)