

The Alabama Jury Verdict Reporter

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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.

Defamation - A Mobile

television station broadcast a news report about a scandal involving alleged sexual misconduct within the Southern Baptist Convention and displayed a photograph of a local, recently retired pastor who happened to have the same name as one of the suspects; the station was informed of the case of mistaken identity and immediately issued multiple retractions, but the local pastor believed his reputation had been damaged

Brown v. Sinclair Communications, et al., 22-901998

Plaintiff: John D. Richardson and Abby M. Richardson, *Richardson Law Firm, LLC*, Fairhope

Defense: Dennis R. Bailey and J.

Evans Bailey, *Rushton Stakely*

Johnston & Garrett, P.A.,

Montgomery; Scott G. Brown and

Clifford C. Brady, *Armbrecht Jackson, LLP.*, Mobile

Verdict: \$200,000 for plaintiff

Circuit: **Mobile**, 8-28-24

Judge: Michael P. Windom

By 2022, Dr. Charles Brown had been a pastor for some 50 years. Of that time, 45 years were spent as the pastor of what eventually became the Government Street Baptist Church in Mobile, an affiliate of the Southern Baptist Convention. Brown retired from his duties as pastor in early 2022.

Around that same time, a scandal was brewing within the Southern Baptist Convention involving members who had allegedly engaged in sexual misconduct. One of the names on the list of those suspected of such conduct was Charles Brown. However, this was a different Charles Brown and emphatically was

not the same one who had recently retired from Government Street Baptist Church.

On 5-27-22, WPMI Channel 15, a local Mobile television station at its non news programming, ran a three-minute news report about the ongoing scandal. During that report the name Charles Brown was mentioned along with an explanation that this person was a Baptist pastor who had been convicted of sexual misconduct in Alabama in the 1980s. However, for some eleven seconds the report mistakenly displayed a photograph of the local Charles Brown who had never been involved in such conduct.

The local Charles Brown did not see the report, but he immediately began receiving phone calls from friends and acquaintances to let him know about it. Brown soon met with Bob Noonan, the news director at WPMI, to discuss the matter.

Noonan looked into what had happened and discovered the error. He apologized profusely to Brown and arranged for the station to broadcast multiple retractions that day and over the coming days including two on the same day. Additionally, the station taped and aired a positive interview with Brown that highlighted his career and his extensive efforts to combat sexual misconduct.

Nonetheless, Brown filed suit against Sinclair Communications – i.e., the owner of WPMI – and its affiliated entities. Brown criticized the station for defaming him by falsely implying that he had been convicted of molesting boys.

According to Brown, the station had violated its own rules and

however, that Chandler filed suit against Gandy and blamed her for causing the crash. Additionally, Chandler presented an underinsured motorist claim against State Farm.

State Farm opted out of the case. The litigation proceeded thereafter solely against Gandy. She defended the case and denied negligence. She also disputed the nature, extent, and causation of Chandler's claimed injuries.

The case was tried for a single day in Monroeville. The jury returned a verdict for Gandy, and the court entered a defense judgment. Prior to trial, Gandy had made an offer of judgment in the amount of \$15,000.

Case Documents:

[Jury Verdict](#)

[Final Judgment](#)

Civil Rights - A prison inmate (a high-profile prison rights activist known as Kinetic Justice) alleged that after a brutal beating by jail guards that was so bad he was airlifted to UAB Hospital (that was a separate case that settled), upon his return to prison, the prison doctor failed to provide him prescribed pain medications – a Birmingham jury found the doctor failed to provide care to a serious medical need and awarded the plaintiff \$200,000 in damages which included \$150,000 in punitives

Council v. Wexford Health Services, 2:22-08

Plaintiff: David Gespass, *Gespass & Johnson*, Birmingham and Tiffany Johnson-Cole, *Law Firm of Robert Thompson*, Tuskegee

Defense: Philip G. Pigott, Birmingham and Katie M. McEntyre, Montgomery, both of *Rushton Stakely Johnston & Garrett*

Verdict: \$200,000 for plaintiff

Federal: **Birmingham**, 3-26-25

Judge: Corey L. Maze

Robert Council, then age 46, was a

prison inmate on 1-30-21 at Donaldson Correctional Facility. He is serving a life sentence related to a 1994 murder conviction arising from Coffee County. Council has been a high-profile advocate for the rights of prisoners and is known referred by the name, Kinetic Justice.

While at Donaldson on that date, Council observed jail guards using chemical spray on another inmate. He observed that the inmate was abused even after being subdued. Council asked the guards to stop. Council was back in his cell washing his eyes with water to clear his exposure to the chemical spray when the guards entered his room. He alleged they attacked and beat him.

Council was now in a semi-conscious state when the guards drug him out. He was then taken to he infirmary where it observed he had significant skull and rib fractures. One of his eyes was swollen shut and he also had an optic nerve injury. His injuries were so severe that prison officials at Donaldson directed that he be airlifted to UAB Hospital.

Council was returned to prison two days later. Following his release from the hospital, he was sent to Kirby Correctional Facility in Mt. Meigs, AL near Montgomery. The medical director at Kirby was Dr. Wilcotte Rahming. Rahming is an employee of Wexford Health Services which contracts to provide medical services to inmates.

Council alleged that despite his serious injuries and related pain, Rahming failed to provide his prescription pain medications to him for some 21 days. In this lawsuit Council alleged Rahming was deliberately indifferent to his serious medical need for pain relief.

If Council prevailed on this claim, he sought both compensatory and punitive damages. His proof burden at trial required a "yes" to all these questions, (1) Council had a serious medical need, (2) Rahming knew about it, (3) Rahming failed to provide care, (4) Rahming knew that put Council at serious risk of medical harm, and (5) Rahming's conduct caused injury to Council. If the jury answered "no" to any of those

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