

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FIRST JUDICIAL CIRCUIT
COUNTY OF DORCHESTER)	
)	
NIKKI GARWOOD, AS THE PERSONAL)	Civil Action No. 2026-CP-
REPRESENTATIVE OF THE ESTATE)	
OF JERAD DEVIN ROSE,)	
)	
Petitioner,)	PETITION FOR APPROVAL OF
)	WRONGFUL DEATH SETTLEMENT
vs.)	
)	
DON’S CAR CRUSHING, INC.,)	
)	
Respondent.)	
)	

The Petitioner, Nikki Garwood (“Petitioner”), as Personal Representative of the Estate of Jerad Devin Rose, would respectfully show unto the Court the following:

1. The Petitioner is the Personal Representative of the Estate of Jerad Devin Rose as reflected in the appointment attached hereto as **Exhibit A**;
2. On or about February 18, Jerad Devin Rose sustained fatal injuries when a tandem tire assembly separated from a tractor trailer and struck him. The tractor trailer was operated by K&L Express Hauling and/or 452 Logistics.
3. The Petitioner claims the decedent’s death was the result of the negligence of the Respondent, which Respondent denies.
4. All parties intend to enter into a Settlement Agreement, and the Petitioner now asks the Court to approve the settlement as being in the best interest of all parties concerned.
5. The Petitioner acknowledges that Respondent denies liability for the death of Jerad Devin Rose under any theory or cause of action under the laws of the State of South Carolina, but in order to avoid the expense, inconvenience and uncertainty of the outcome of the

trial, the Respondent has offered, in compromise, the total sum of Sixteen Million and 0/100 Dollars (\$16,000,000.00) as a full, complete and final settlement of any and all causes of action which the Personal Representative, the Estate or others may have against the Respondent as well as any other potentially responsible parties.

6. The Decedent was single at the time of his death and he had no biological or adopted children. Mr. Rose's statutory beneficiaries are his parents Nikki Garwood and Jerad Rose. As a result, all settlement funds will ultimately be distributed to Nikki Garwood and Jerad Rose, the sole statutory heirs of Jerad Devin Rose.

7. Petitioner is requesting that Sixteen Million and 0/100 Dollars (\$16,000,000.00) be allocated to the wrongful death. Since the decedent died intestate, the recipients of all settlement funds are the same for either a survival or wrongful death cause of action.

8. The undersigned attorneys for the Petitioner have considered the offer made by the Respondent and agree it is reasonable and fair and in the best interest of the Decedent's estate and beneficiaries.

9. The total amount of insurance available to the Respondent and related parties is Sixteen Million and 0/100 Dollars (\$16,000,000.00).

10. The file contains the following liens against the Estate:

- a. Capital One, N.A. Quicksilver in the amount of **\$453.20**;
- b. Trident Regional Medical Center in the amount of **\$1,986.85**;
- c. DCM in the amount of **\$199.84**; and
- d. A Workers Compensation lien from the South Carolina State Accident Fund in the negotiated amount of **\$170,345.53**.

11. Petitioner acknowledges that should any additional liens or creditors arise,

Petitioner shall be responsible for satisfying them.

Petitioner is represented by David Lail and Brandt Horton of Yarborough Applegate LLC in Charleston, South Carolina. Petitioner's fee agreement with counsel provides for an attorney's fee of 33 1/3% of the gross settlement. The fee agreement also provides that costs incurred by counsel shall be reimbursed out of the settlement proceeds. The total expenses for which is sought are in the amount of Twelve Thousand One Hundred Ninety-Six Dollars and 90/100 (\$12,196.90).

12. The attorney's fee and costs are itemized in the attached **Exhibit B**.

13. The Petitioner believes that the settlement, the attorney's fees, expenses, costs and the proposed allocation of net proceeds are fair and in the best interests of Mr. Rose's estate.

14. Petitioner has consulted with the other statutory beneficiary and they are in agreement with the proposed allocation of settlement proceeds.

15. The Petitioner and her attorneys have investigated the entire matter regarding any possible liability for the death of the decedent and in view of such questions and the uncertainty of the outcome of any trial against the Respondent, Petitioner alleges this is a fair and equitable settlement and should be approved by the Court.

16. The Petitioner is informed and believes that as Personal Representative of the Estate of Jerad Devin Rose, she should be directed and required to pay the proceeds of the settlement for the alleged wrongful death of Jerad Devin Rose to herself and Jerad Rose, as the beneficiaries according to the statutes of the State of South Carolina.

WHEREFORE, the Petitioner prays that this Court approve the compromised settlement as described above, that the Court authorize and direct the Petitioner to receive the monies offered herein on behalf of the Estate of Jerad Devin Rose and that the Court authorize and direct

the Petitioner to execute a proper Release relieving and discharging the Respondent and its representatives and insurance carriers from any and all claims whatsoever of any kind or nature arising out of the injuries and death of Jerad Devin Rose on or about February 18, 2025.



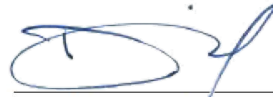
Nikki Garwood, Personal Representative of
the Estate of Jerad Devin Rose

Dorchester County, South Carolina

February 11, 2026

ATTORNEY'S CERTIFICATION

I, David B. Lail, believe that the settlement is fair, reasonable, and in the best interest of the Estate and statutory beneficiaries, and respectfully recommend that the Court approve it.



David B. Lail, Esq.
Attorney for Petitioner

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

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NIKKI GARWOOD, AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE
OF JERAD DEVIN ROSE,

Civil Action No. 2026-CP-

Petitioner,

VERIFICATION

vs.

DON'S CAR CRUSHING, INC.,

Respondent.

PERSONALLY appeared before me Nikki Garwood, who, on oath, states that she is the Petitioner and Personal Representative for the Estate of Jerad Devin Rose, in the above-referenced matter; that she has read the foregoing Petition Seeking Approval of Settlement Agreement and that the things and matters set forth therein are true and correct to her own knowledge, except for those matters alleged on information and belief, and as to those matters, she believes them to be true.

Nikki Garwood

Nikki Garwood, Personal Representative of
the Estate of Jerad Devin Rose

SWORN to and subscribed before me this
11 day of February, 2026.

Heather Z (SEAL)
Notary Public for South Carolina

My Commission Expires: 11-24-35

