Kentucky Trial Court Review

The Most Current and Complete Summary of Kentucky Jury Verdicts

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Comprehensive Statewide Jury Verdict Coverage

Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts including circuit, division, presiding judge, parties, case number, attorneys and results.

Underinsured Motorist - The plaintiff (driving a commercial truck) suffered an AC joint separation injury after the tortfeasor ran a stop sign and pulled into his path – the plaintiff settled with the tortfeasor for her $100,000 policy limits and then sought UIM coverage (up to a $300,000 ceiling) from his insurer, Farm Bureau

Phillips v. Farm Bureau, 25-144
Plaintiff: Joseph Rugg, Shea Conley, Blake Nolan and Zach Chesser, *Morgan & Morgan*, Lexington
Defense: Sandra Spurgeon, *Spurgeon Law Group*, Lexington
Verdict: $311,773 for plaintiff
Court: **Bourbon**
Judge: Kathryn Gabhart
Date: 10-29-26

Daniel Phillips, age 40, was operating a commercial vehicle (a box truck) for his employer, CEVA Logistics, on 10-16-24. He traveled in Scott County on Georgetown Road near Centerville. The tortfeasor, Cynthia Smith, ran a stop sign and pulled into Phillips's path. Phillips broadsided Smith's sedan. It was a hard hit and Phillips careened off the road into a field. Fault was no issue.

Phillips was taken to the ER at UKMC and thereafter he treated with Dr. Forest Heis, Orthopedics, Lexington for an AC joint separation injury. It was surgically repaired and Phillips then went through a course of physical therapy. He was fully released from care six months later. His medical bills were $41,773.

Phillips moved first against Smith and took her $100,000 policy limits. In this lawsuit he sought UIM coverage from his insurer, Farm Bureau. The policy limits were $300,000. Thus the floor of coverage was $100,000 and Phillips would exhaust that coverage with any verdict over $400,000.

Phillips claimed his medical bills (the court directed them) and $2,000,000 for his past pain and suffering. He could take $5,000,000 for his suffering in the future. The plaintiff built his causation proof through a plaintiff's IME, Dr. Rick Lyon, Frankfort. Phillips also testified about his severe pain for four months as confirmed by his wife.

Farm Bureau had intended to rely on an IME, Dr. Stacie Grossfeld, Orthopedics, Louisville, to diminish the claimed injury. It even referenced an intent to call her during opening statements. Ultimately Farm Bureau elected not to call Grossfeld or any witnesses at all. It had offered $100,000 to settle the matter.

This case was tried for three days in Paris. During the plaintiff's closing argument, Attorney Rugg suggested that Farm Bureau "do the right thing." The insurer objected, the court sustained that objection and admonished the jury to disregard the statement.

Later in the plaintiff's closing argument, Attorney Rugg indicated that Farm Bureau had "turned its back" on the plaintiff. This time Farm Bureau sought a mistrial. Judge Gabhart denied that motion but she did admonish the plaintiff's counsel to refrain from insinuating that the insurer had acted in bad faith.

The jury received the case around noon and deliberated almost three hours. It returned a verdict and awarded the medical bills of $41,773 as directed. Phillips took $250,000 for past suffering and $20,000 more for



The plaintiff's truck (left) and the tortfeasor's sedan (right)

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Chandelier Negligence - The plaintiff was cleaning a custom 150 pound chandelier in her great room with a feather duster – she stood on a stepladder to reach the chandelier – suddenly it fell from the ceiling and knocked her off the ladder, all of which led to meniscal injury and surgical repair – in this lawsuit she blamed both the electrician who installed the chandelier and the general contractor who had constructed her home for negligently installing the chandelier – the heart of the case was that a properly installed chandelier doesn't just fall out of the ceiling - Defense verdict p. 8

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Historical Kentucky Verdicts

This month the two cases we look at are from Lebanon, Marion County and while they were separated by forty years, each was the largest in the history of the jurisdiction at the time they were returned.

Auto Negligence - A dairy farmer suffered multiple fractures after being involved in a head-on collision – a 1954 jury in Lebanon awarded him a then-record verdict of $39,322 (almost $500,000 in 2026 dollars) that included $30,000 for pain and suffering

Wheatley v. Threlkeld,
Plaintiff: Robert M. Spragens, Lebanon
Defense: Pat Rankin, Stanford
Verdict: $39,322 for plaintiff
Court: **Marion**
Judge: Philip Bertram
Date: October 6, 1954

Marvin Wheatley, a dairy farmer, was involved in a head-on crash on the Springfield Highway on July 13, 1953. He was struck in a curve near the Washington-Marion County line by John Threlkeld of Louisville. Fault was admitted.

Wheatley was badly hurt. He broke his left leg, his right arm and five ribs. He also developed pneumonia in the hospital and lost sixty pounds. Wheatley sued Threlkeld and sought damages. By the time of trial two years later in 1954, Wheatley still ambulated with crutches.

The jury in this case awarded Wheatley medicals of $3,322 and $5,000 in lost wages. He also took $900 in vehicle damage. Finally his pain and suffering was valued at $30,000. The verdict totaled $39,322 (almost $500,000 in 2026 dollars) and was described by the court clerk (W.J. Crowdus) as the largest in the history of the circuit. Spragens, then a relatively young lawyer, would later serve as a Circuit Court Judge.

Underinsured Motorist - A teenager suffered a brain injury in a crash involving a drunk driver – a Lebanon jury in 1996 awarded the girl $2.01 million in damages ($1,000,000 for pain and suffering) that exceeded the $1.2 million of available UIM coverage – it was called the largest verdict at the time in Marion County history

Adkins v. Westfield Insurance,
Plaintiff: Joseph Mattingly, Lebanon
Defense: Timothy D. Martin, Louisville
Verdict: $2,011,558 for plaintiff
Court: **Marion**
Judge: William Hall
Date: October 24, 1996

Angela Adkins, then age 19, was out cruising in the country near Raywick, KY with her friends after midnight on March 5, 1994. She was a passenger with Kristi Stumph. They were not wearing seat belts. Carl Burton, a drunk driver with a .23 BAC, topped a hill and crashed into the Stumph vehicle. Stumph was killed.

Adkins suffered serious injuries including a depressed skull fracture, facial fractures and a broken arm. Her most serious injury was a permanent brain injury. Adkins endured a lengthy recovery.

Burton was convicted of criminal charges related to this incident and was sentenced to fifteen years in prison. Adkins moved against several insurers and took the sum of $77,500. In this lawsuit she sought $1.2 million more in damages from her UIM carrier, Westfield Insurance. Westfield's defense implicated Adkins having failed to wear a seat belt.

The case was tried in Lebanon for four days in October of 1996. The jury rejected apportioning fault to Adkins as it concluded her failure to wear a seat belt had not led to an enhanced injury. Adkins was awarded medicals of $340,857 and $358,000 for future care. Her lost wages were $12,650.

Adkins took $300,000 more for her impairment. Finally she was awarded $1,000,000 for her pain and suffering. The verdict totaled $2,011,558 ($4.3 million in 2026 dollars) and far exceeded the ceiling of the UIM coverage. A judgment was entered against Westfield for the policy limits.

A report in the local Lebanon paper in 2012 described that Adkins endured a long recovery and still suffered deficits. However she was a happy adult, working, living independently and having a boyfriend. Adkins also described her belief that her friend who had been killed in the wreck, Stumph, had remained looking over her as an angel.

The *Adkins v. Westfield Insurance* verdict remained the largest in Marion County history until the October 2025 result in *Thomas v. Ackermann*, $8,413,205 where the plaintiff (a young mother) faced a terminal cancer diagnosis. **See** Case No. 6299. The plaintiff in that case died at age 30, just one month after the verdict was returned.

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