

The Mississippi Jury Verdict Reporter

The Most Current and Complete Summary of Mississippi Jury Verdicts

November 2025

Statewide Jury Verdict Coverage

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Civil Jury Verdicts

Timely coverage of civil jury verdicts in Mississippi including court, division, presiding judge, parties, case number, attorneys and results. Notable results from the southern region, including Memphis and New Orleans, are also covered.

Malicious Prosecution - In this small town drama in Holly Springs, the administrative assistant to the local police chief (the police chief had just been suspended) alleged the town mayor (the mayor is a lawyer too) filed a phony assault charge against her related to an incident involving a suddenly closed door at the police station – after the administrative assistant was booked, forced to wear a prison jumpsuit for a mugshot, fingerprinted, made to post bail and ultimately acquitted, she sued the mayor and alleged both state and federal law malicious prosecution in bringing the assault charge

Raimey v. Mayor Gipson, 3:23-458

Plaintiff: Yance Falkner, *Waide & Associates*, Tupelo, MS

Defense: Garret T. Estes, *Perry Griffin*, Southaven, MS

Verdict: \$10,000 for plaintiff

Federal: **Greenville**

Judge: Debra M. Brown

Date: 10-23-25

The then-Mayor of Holly Springs, MS, Sharon Gipson, suspended its Police Chief (Grant Glover) in June of 2023. In response to the suspension, Glover called a meeting of his team to discuss ongoing operations on 6-1-23. It was held in a room in the police station. Several persons were present from the police department including Glover's administrative assistant, Vinita Raimey. The door to the room was locked.

Mayor Gipson (she is also a lawyer) came to the door of the meeting. Glover instructed Raimey to

open the door. Raimey asserted that she did so and returned to her seat in the room. The door (it was described as heavy) closed on its own. It did so before Gipson could enter. Gipson then used her own key to open the door and enter. She berated Raimey (Raimey indicated it was a "wild" bit of berating), and in response, Raimey replied she'd lost respect for the Mayor.

The Mayor saw it differently. She believed that Raimey had aggressively closed the door on her. This resulted in a minor injury to her arm. A day later after the incident and having sworn out a warrant, Gipson sought care at an urgent care center. Raimey of course denied the assault and explained that the heavy door couldn't be slammed because it had a hydraulic arm. Several witnesses in the room confirmed this.

In any event, Raimey was arrested, booked, forced to wear a prison jumpsuit for a mugshot and made to post bail. Raimey had never before been arrested in her life. She hired an attorney (Tony Farese, Ashland, MS) to defend against the charges. Three months later Raimey was acquitted at a bench trial by Justice Court Judge Chris Childers, sitting by special assignment from New Albany.

Raimey filed this federal lawsuit two months later alleging malicious prosecution by Gipson in swearing out the warrant. Her case was simple enough. There was no assault in the first place and physically it would have been impossible. What was the

Historic Mississippi Verdict

Negligent Training - At a fast food restaurant the manager told a quarreling employee and a customer to "take it outside" – a moment later the employee pushed the customer who fell and was left a quadriplegic – a federal jury found the restaurant 100% at fault at a 2005 jury trial on a negligence theory and awarded the plaintiff \$20,881,884 in damages of which \$10,000,000 were non-economic damages – the verdict was affirmed by the Fifth Circuit and the final judgment was satisfied

Foradori v. Captain D's, 1:03-669

Plaintiff: Joseph H. Langston and R.H. Burrress, *The Langston Law Firm*, Booneville

Defense: L. Bradley Dillard, *Mitchell McNutt & Sams*, Tupelo, Bradley F. Hathaway, *Campbell DeLong*, Greenville and William Anderson, III, *Anderson Rasor & Partners*, Chicago, IL

Verdict: \$20,881,884 for plaintiff

Federal: **Oxford**

Judge: Michael P. Mills

Date: October 11, 2005

There was a terrible incident more than 25 years ago on the evening on December 22, 2000. Michael Foradori, then age 15 and a slight boy (weighing 150 pounds) had a conflict with an off-duty Captain D's employee, Al Cannon. Cannon was an older teenager and he berated Foradori in the restaurant for some 15 minutes. Cannon's beef? He believed Foradori had been hitting on his girlfriend. Cannon became louder in challenging Foradori to a fight and a crowd of spectators had gathered.

Peggy King, the store manager,

heard the ruckus and believed it was just horseplay. She told the boys to "take it outside." Foradori indicated he didn't want to fight, but he was conflicted as he also didn't want to be perceived as "chicken."

The boys did take it outside and had a brief altercation in the parking lot of an adjoining property. It appeared to have ended when another off-duty Captain D's employee, Garious Harris, ran towards Foradori. Harris was much larger (weighed 200 pounds) and was a football

player. Running at full speed, Harris struck Foradori in the back of his neck with a closed fist. This caused Foradori to fall four feet from a retaining wall. He was unconscious and woke up in a hospital the next day. He suffered a broken neck and a severed spine. Foradori was left a permanent C5 quadriplegic. His spinal injury was described as resulting in the most serious disability.

Foradori filed suit in Lee Circuit Court and alleged negligence by Captain D's in failing to

supervise, control and train its employees who had attacked him. Captain D's removed to federal court. It denied fault and argued that the manager was not negligent as she believed the boys were just engaged in horseplay.

The case advanced to trial four and ½ years after the incident. The trial lasted six days. The plaintiff's counsel suggested an award of non-economic damages to the jury of \$45,000,000. Foradori prevailed on the negligence count against Captain D's. The jury

Pain and suffering

The jury awarded plaintiff \$10 million for past, present, and future pain and suffering, including loss of enjoyment of life. The court can not conclude that this award, which was a fraction of the \$45 million requested by counsel for plaintiff for pain and suffering, was against the weight of the evidence. It seems clear that Foradori has had to endure an extraordinary amount of suffering in his young life, even by the standards of quadriplegics. Once an active and

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Case: 1:03-cv-00669-MPM Doc #: 544 Filed: 12/06/05 24 of 25 PageID #: 5796

athletic individual, Foradori now has only minimal and spastic use of his upper extremities. He is unable to perform basic tasks of self-care, and he relies upon assistance to get out of bed, urinate, and defecate.

Cruelly, Foradori also suffers physical pain in addition to his disability, for which he must take Neurontin, a powerful analgesic. Foradori does not enjoy the level of family support enjoyed by many quadriplegics. Foradori's father works two jobs, and while he initially made efforts to perform those jobs and still care for his son, the physical and mental demands of such became too great. As a result, Foradori was forced to move to a nursing home, which is clearly a great emotional burden for a young man. While the jury's award in this case would eventually permit Foradori to buy a handicapped-accessible home and obtain some measure of independence and dignity, he does not presently enjoy such comforts. In light of the foregoing, the court does not view the jury's award of \$10 million for past, present and future pain and suffering, including loss of enjoyment of life, to be excessive.

The portion of the trial court's order denying JNOV relief discussing non-economic damages

A Notable Tennessee Verdict

Medical Negligence - The plaintiff linked a birth injury to her maternal fetal medicine doctor (he was consulted because it was a high risk pregnancy as the mother is diabetic) in failing to respond to an alarming 2 out of 8 Biophysical Profile (BPP) score – the theory was this should have alerted the doctor to send the plaintiff for an immediate delivery and if delivered at that time, the baby would have been normal – the delivery only came four days later after a repeat BPP was alarming and by this time the baby girl had suffered a permanent hypoxic brain injury – she died five months later – the case came to trial 10 years later and while the jury rejected any award of non-economic damages to either the girl for her suffering or her parents for their consortium interest, the lost earnings were \$4,000,000

Jones v. Bors-Koefoed, CT-00101-17
 Plaintiff: Chad D. Graddy and W. Bryan Smith, *Bryan Smith & Associates*, Memphis, TN
 Defense: Darrell E. Baker, Jr. and Deborah Whitt, *Baker & Whitt*, Memphis, TN
 Verdict: \$4,000,000 for plaintiff
 Court: **Memphis, Tennessee Shelby Circuit Court**
 Judge: Yolanda Kight-Brown
 Date: 8-13-25

Tracey Jones was pregnant in the spring of 2014. She's diabetic and her Ob-Gyn, Dr. Jessica Ruffin, referred her to a maternal fetal specialist, Dr. Roy Bors-Koefoed for a consult. Bors-Koefoed followed the pregnancy and it was mostly normal.

Bors-Koefoed saw Jones on 9-11-15. Jones was now at 35.3 weeks. He

performed a Biophysical Profile (BPP) test. It is a specialized ultrasound that has four separate measurements. The result of those measurements (there is an eight-point scale) reflect the condition of the baby. Any score of four or below is alarming. The first BPP that day was two. That's very troubling.

At this juncture in the history of the case, there was a dramatic fact dispute. What happened next is still unclear. Bors-Koefoed alleged he ran a second BPP test. Why? They often create false positives. He did this after giving the mother some peanut butter to eat and a Sprite. The second BPP was a perfect 8. Bors-Koefoed was reassured the baby was in good shape.

The problem is that it remained disputed if there was a second BPP test at all. Bors-Koefoed didn't have a record of it, although he indicated he faxed it to the plaintiff's Ob-Gyn. The mother for her part denied there had been a second BPP. In any event Bors-Koefoed concluded the pregnancy was normal and Jones was sent home for the weekend.

Jones was sick over the weekend and returned to Bors-Koefoed on Monday. Another BPP test was performed. The score was a four. Bors-Koefoed immediately sent Jones for a c-section. Baby girl Grace was born but had suffered a hypoxic birth injury. She suffered from cerebral palsy and other related injuries. Grace was in the NICU for an extended period of time. She died at five months old in February of 2016. There was proof the girl had a short and painful life.

The Jones estate (representing her parents) filed this lawsuit in 2017. It alleged negligence by Bors-Koefoed in failing to respond to the first 2/8

BPP score on 9-11-15. The plaintiff argued that if the baby had been delivered at that time (the test indicated this was required), Grace would not have suffered an injury.

The plaintiff's liability expert was Dr. James Edwards, Ob-Gyn, Raleigh, NC. He described the score of four or less on the BPP as representing the standard of care to send the mother to the hospital for delivery. Moreover it was no excuse and could not be explained away, Edwards opined, that there was a second reassuring BPP score. Finally he explained that through the weekend and until delivery, Grace was actively dying. A second expert who described the girl's injury and causation was Dr. Brian Sims, Neonatology, Birmingham, AL.

The claimed damages were in four categories. An economist, James Mills, quantified's Grace's lost earnings at \$3.29 million if she had a college degree. His low estimate (as a non-college graduate) was \$2.25 million. The plaintiff also sought Grace's pain and suffering as well as the consortium interests of her parents.

The plaintiff's case was more complex than just simple negligence. It was alleged that Bors-Koefoed had lied or concealed or made up (the plaintiff wasn't sure) the story of the second reassuring BPP test. The plaintiff sought to impose punitive damages for this purportedly reckless conduct.

As the case went to the jury, the estate asked for an award of damages of \$9.29 million. That represented \$3,000,000 for Grace's pain and suffering and \$1.5 million each for the consortium interests of her parents. The prayer was for \$3.29 million more for lost earning capacity. Attorney Graddy argued the case (he said frankly) was simple. The BPP test

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