

# The South Carolina Jury Verdict Reporter

The Most Current and Complete Summary of South Carolina Jury Verdicts

July 2026

Statewide Jury Verdict Coverage

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### Civil Jury Verdicts

Timely coverage of civil jury verdicts in South Carolina including court, presiding judge, parties, attorneys and results.

**Gas Station Negligence - The plaintiff and her daughter were doused with gasoline and suffered related chemical toxicity exposure symptoms when a gas pump at a Circle K convenience store allegedly malfunctioned – the gas station replied there was no knowledge of a defect with the gas pump and it had been used without incident many times on that day and the day before**

*Scott v. Circle K*, 2020-CP-08-1191

Plaintiff: J. Seth Whipper and Cheryl Whipper Hamilton, *Whipper Law Firm*, North Charleston

Defense: Ryan C. Holt and Mary C. Eldridge, *Sweeny WIngate & Barrow*, Columbia

Verdict: Defense verdict on liability

Court: **Berkeley**

Judge: Roger M. Young, Sr.

Date: 5-24-26

LaToya Scott, then age 32, was a patron on 10-7-17 at a Circle K convenience store (No. 1528 on N. Main Street in Summerville) and she was getting gas at Pump No. 9. It's a busy store near I-26 and is open 24 hours a day. Scott had parked her 2015 Honda Accord sedan and left the door open as she pumped the gas. Her daughter (Zacora, age 11 at the time) was a front seat passenger.



*Circle K Store 1528 on N. Main Street in Summerville, SC*

Scott inserted the hose into her vehicle and began to pump gas. It was initially a normal event. Suddenly the hose began to spray gas in every direction. Scott was doused in gasoline. It also sprayed inside the car and Zacora was exposed.

Zacora, born as a 26-week preemie baby with a host of related health issues, immediately had nausea, vomiting and dizziness. Her symptoms resolved quickly.

Scott's symptoms were more persistent and she has complained of skin irritation, whelps and swelling. She was also diagnosed with a chemical sensitivity syndrome.

Mother and daughter (in separate lawsuits that were later consolidated into the case number in the heading) sued Circle K and alleged negligence regarding the malfunctioning gas

pump. They blamed the event on aging and failing equipment that had not been properly maintained. The failure to keep the hose in good working condition was especially important at this busy convenience store that is open 24 hours a day. A liability expert for the Scotts was Kent Reid, an Electrical Engineer. He believed the event had to have been caused by a mechanical failure.

The plaintiffs also sued OPW Fueling Components which had supplied the gas hose apparatus. It was a complex and modern system with a variety of controls, including limiting the flow to 10 gallons per minute and having automatic shut-offs in the event of a malfunction. OPW Fueling prevailed by summary judgment as Scott had no expert to identify a deviation. The summary

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## Historic South Carolina Verdict

A look back at older South Carolina jury verdicts (sometimes more than 100 years old) both historical and occasionally historic.

**Products Liability - The plaintiff was electrocuted (along with three others) in a wading pool incident that was blamed on the faulty installation of a fountain – the jury awarded the estate \$200,000 in compensatory damages and \$250,000 more in punitives, the case later settling on appeal for \$150,000**

*Zedaker v. Kim Lighting,*

Plaintiff: Sam Svalina, Beaufort

Defense: John Linton and Bobby

Hood, *Sinkler Gibbs & Simons,*

Charleston

Verdict: \$450,000 for plaintiff

Court: **Beaufort**

Judge: Wade Weatherford

Date: August 11, 1979

There was a devastating tragedy on the evening of June 26, 1978 (almost 50 years ago exactly) on Hilton Head Island. It occurred at the Mariners Cove Club. It is an apartment complex located at the foot of the James Byrne Bridge (U.S. 278.) Several residents had gathered for a going away party for a friend (an attorney, Cynthia Zeliff) who was going to take a job in Raleigh. The attendees included James Zedaker, age 37 and a commercial fisherman.

The party had a drink or two and in their swimsuits, they headed to a one-foot deep wading pool at the complex. It had a light fixture manufactured by Kim Lighting of Los Angeles, CA which was described as a leading manufacturer

## Jury awards \$450,000 to Zedaker's parents

BEAUFORT—After deliberating for more than six hours Saturday, a jury awarded the parents of a man electrocuted in a decorative fountain here last year \$450,000 in damages from a California lighting manufacturer.

Shortly after 5 p.m. Saturday, the Court of Commons Appeals jury told Judge Wade Weatherford it had decided that Kim Lighting Co., the firm which manufactured the electrical fixtures for the ill-fated decorative pool at the Mariners Cove Club on Hilton Head, should pay \$200,000 in actual damages and \$250,000 in punitive damages to Mr. and Mrs. Worth Zedaker of Beaufort.

No damages were assessed the other two remaining defendants in the \$5-million damage suit, Gary Williams of Bluffton, doing business as Williams Electrical Co. and Chester L. Scott of Hilton Head, doing business as Hilton Head Enterprises.

The Zedakers' only son, James, 37, was one of three young people who were electrocuted upon stepping into a shallow pool around a fountain in the apartment complex near the James Byrnes Crossing June 27, 1978.

From the very outset of the trial, which opened Monday, Aug. 8, it was apparent that the Zedakers' attorney, Sam Svalina of Beaufort, would go after Kim Lighting. Out-of-court negotiations already had settled claims against the other eight defendants in what was described as the first of four suits brought

by the families of the electrocution victims.

In final arguments Friday, the jury heard Kim Lighting attorneys, John Linton and Bobby Hood of Charleston, argue that the deaths would not have occurred had the lighting been installed as Williams wanted. (The Bluffton electrician, now employed by a Savannah firm, earlier had testified that he was instructed to connect the lighting to a nearby light pole in order to avoid digging up the Mariners Cove parking lot.)

Randolph Murdaugh III, representing contractor Scott, argued that his client was not responsible for having Williams' work inspected but that the responsibility lay with others who had been dropped from the suit.

Much of the testimony was highly technical and concerned the safeguards which should have been taken in the manufacture or installation of the lighting. Among those testifying on behalf of Kim Lighting were a former Georgia Institute of Technology professor and the head of the Inspections Department of the City of Los Angeles, who appeared on video tape to say that

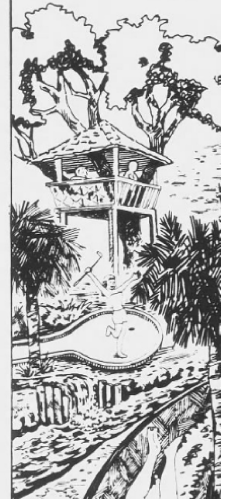
Kim products had been tested and approved for use in that California city.

Earlier in the week, Weatherford ordered reporters to obtain permission before printing anything said in court in the absence of the jury. The judge had castigated newsmen following Svalina's objection to an article in the *Savannah Morning News*. The jury was not sequestered during the five-day trial, but Weatherford instructed members not to read or listen to accounts of the proceedings.

Following testimony Friday evening, Judge Weatherford sent the jury home with instructions to report back in the courtroom at

9:30 a.m. Saturday. Following his charge, the jury began to deliberate at 10:45 a.m. and did not return until 5:15 p.m. Weatherford told attorneys for Kim Lighting that they had until this Thursday to file any motions regarding the verdict.

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**Daufuskie Ferry**

A news report on the Zedaker v. Kim Lighting jury verdict

of such products. Apparently a light in the fixture had broken and the wiring was eroded. As the party entered the wading pool, three were fatally electrocuted. A fourth was killed as she tried to render aide. A teenage boy witnessed it all and the victims seemed to just step into the pool and fall backwards.

This litigation followed. The estates of the four decedents all pursued claims against a variety of defendants. There would be a single jury trial that resulted. It was Zedaker's estate (brought by his parents) that came to trial against Kim Lighting and two local electrical firms. The focus of the plaintiff's claim was the fountain had negligent installation instructions. The plaintiff sought damages of \$5,000,000. Kim Lighting replied that the accident had nothing to do with the

installation. The proof at trial was highly technical and included several expert witnesses.

The trial was conducted over six days. The jury deliberated for six hours on a Saturday. It returned a mixed verdict that exonerated the two electricians. However it found against Kim Lighting and awarded the estate \$450,000. That represented compensatory damages of \$200,000 and \$250,000 more in punitive damages. A motion for a new trial was denied two months later. The verdict would be \$2.05 million in 2026 dollars.

A local report indicates that the presiding judge (Weatherford) engaged in an interesting prior restraint on the media. He told reporters from the Savannah paper (upon an objection from Svalina representing the estate) that they