

The Tennessee Jury Verdict Reporter

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Statewide Jury Verdict Coverage

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Truck Negligence - A trucker rear-ended the plaintiff who was stopped behind an unloading school bus – it was a hard hit (the trucker was moving at 43 mph at impact) and the plaintiff suffered a large cut to her head, a small brain bleed and a complex foot fracture – the case was tried on damages only and a Shelbyville jury awarded the plaintiff \$1.065 million which included non-economic damages of \$950,000

Dent v. CSM Transportation, 14023
Plaintiff: R. Burke Keaty, II and Ken Major, Nashville and Kelli Lester, Bowling Green, KY, all of *Morgan & Morgan*

Defense: Daniel G. Headrick and Tanner W. Yancey, *Kay Griffin Evans*, Nashville

Verdict: \$1,065,860 for plaintiff

Court: **Bedford**

Judge: Wyatt Burk

Date: 12-17-24

Anna Dent, then age 54 and a special education teacher at a local high school in Bedford County, was returning home on the afternoon of 9-17-21. She traveled on Hwy 231N. It was a busy afternoon and a school bus was ahead of her on Hwy 231N dropping off students. Dent stopped in traffic for the school bus.

Behind Dent on Hwy 231N was James Soister who was operating a tractor-trailer for CSM Transportation. He was hauling chicken parts (68,000 pounds of them) from a Tyson chicken plant in Shelbyville to another one in

Robards, KY. Soister didn't appreciate the stopped traffic on Hwy 231N. His big rear-ended Dent's SUV in a hard hit. He was moving at 43 mph at impact.

The initial impact caused Dent's to then collide with two more stopped vehicles. Soister for his part (after knocking Dent's vehicle out of the way) then collided with the rear of the school bus. This was a hard hit too (the rear of the bus suffered damage) but none of the children on that bus reported injuries.

Dent suffered several serious injuries in the crash. The most acute one was a large cut to her head. She was taken to a local ER where it was closed with ten staples. It was also identified that she had a small brain bleed and her right foot was broken in six places. Dent spent two nights in the hospital.

Then five days later Dent had an electrolyte issue that was related to her head injury. She spent five more days in the ICU. While her injuries were significant, she enjoyed a very good recovery. Her ongoing deficits include intermittent headaches. There was also proof it is likely she will have ongoing arthritis pain in her foot.

Dent's medical bills were \$88,857 and \$15,003 was estimated for the future care. Dr. Alfred Callahan, Neurology, confirmed the head injury. The treating orthopedist, Dr. Lydia White, discussed Dent's foot injury. How has the injury affected Dent? She

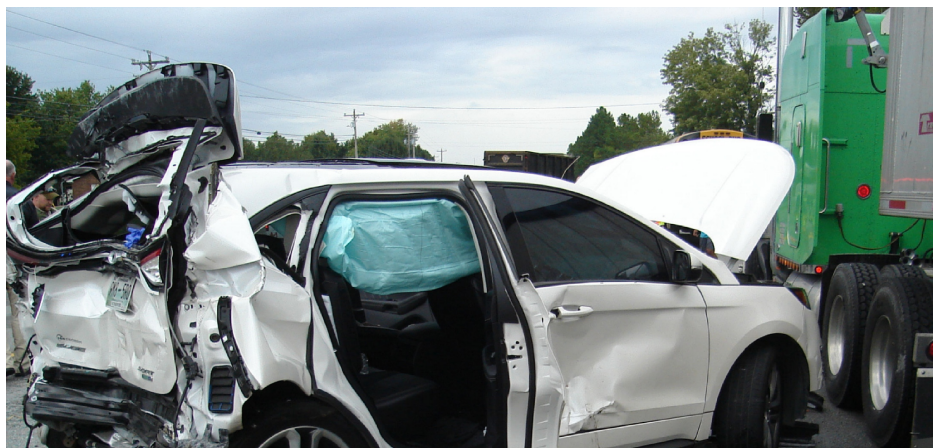


A THP drone shot of the scene of crash

is still teaching (now relocated to Spokane, WA) but she reports, (1) PTSD, (2) anxiety when driving, (3) intermittent headaches, and (3) she can no longer enjoy hiking as her foot will swell.

In this lawsuit Dent sought damages from Soister and his trucking employer, CSM Transportation. The defense admitted fault for both negligence and negligent entrustment. The case would be tried on damages only. If Dent prevailed she sought her special damages described above and as stipulated as well as non-economic damages.

CSM Transportation contested the claimed injury with an IME expert, Dr. James Killefer, Neurosurgery,



The Dent vehicle after the crash

Knoxville. The expert did not believe that Dent had sustained a permanent brain injury.

As the case went to the jury, CSM Transportation postured that it took responsibility for the collision and