

Missouri Lawyers Weekly
April 8, 2005

Verdicts and Settlements

Rear-Ended Motorist Recovers \$3.375 Million on Claims of Trucker Negligence, Fatigue

Negligence/Auto

Motorist Stopped in Traffic On I-26 Near Asheville – Claimed Tractor Trailer Rear-Ended him – Multiple Fractures – Driver Fatigue Alleged - \$3.375 Million Settlement

Description:

According to the plaintiff's pleadings: On June 16, 2003, Michael Hawkins was stopped in traffic in the eastbound lanes of Interstate Highway 26, near the Airport Road exit outside of Asheville. A driver for HaaS Carriage, Inc., an Indiana trucking company, collided and propelled the Hawkins' vehicle forward, causing it to collide with other vehicles, crushing Hawkins inside his vehicle.

The plaintiff alleged that the truck driver's fatigue was a key factor in the crash, citing company documents, driver logs, cell phone records and ECM data. The defendants contended that driver fatigue had nothing to do with the crash.