

NORTH CAROLINA Lawyers Weekly

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VERDICTS & SETTLEMENTS

School employee hurt in crash settles case for \$980K

■ DAVID BAUGHER



Isaac Thorpe

A NORTH CAROLINA WOMAN with a severe fracture will receive a settlement of nearly a million dollars after being injured in a three-car accident, her attorney reports.

Isaac Thorpe of Thorpe Law in Raleigh and Kevin Bunn of Cary report that the bulk of their client's \$980,000 settlement will come from the underinsured motorist policy of her employer, the Johnston County Schools.

The client, Barbara Hedrick was traveling north on State Route 1561 when another driver, Juan Saldana, lost control of his pickup truck coming in the opposite direction. Saldana sideswiped another vehicle before crashing into Hedrick's car. According to the accident report, Saldana's vehicle exceeded a safe speed for conditions.

Thorpe said that his 50-year-old client suffered significant injuries in the crash and required surgery to fuse her T12-L2 vertebrae. A neurosurgeon offered testimony that Hedrick needed permanent work restrictions indicating that she shouldn't walk or sit for more than

half an hour or be required to squat, bend, or lift more than 10 pounds.

Thorpe said that Saldana had been going too fast for the curve in the road and there was some indication that his tires might possibly have been bad.

"They denied liability but they didn't really argue much about it after his deposition," Thorpe said. He said there was some dispute over the potential cost of future medical treatments.

Thorpe said that Hedrick worked for the school system and was acting in the course and scope of her employment at the time of the crash. He said that the employer's worker's comp carrier was entitled to be paid back for about a quarter million dollars in medical expenses and lost wages, but this amount was negotiated down substantially.

Thorpe believes jurors would have liked his client if the matter had gone to trial.

"I think we would have gotten a good result," he said.

Ben Thompson of Broughton Wilkins Sugg & Thompson in Raleigh represented Saldana, and David Fothergill of Yates, McLamb and Weyher in Raleigh represented the UIM carrier. Neither returned a request for comment.

SETTLEMENT REPORT - MOTOR VEHICLE ACCIDENT

Amount: \$980,000

Injuries alleged: Comminuted displaced L1 fracture

Case name: *Barbara Hedrick v. Juan Saldana*

Court: Johnston County Superior Court

Case No.: 20-CVS-001534

Date of settlement: July 23, 2021

Insurance carrier: North Carolina Farm Bureau for at-fault driver, Union Insurance Company of Providence for UIM

Attorneys for plaintiff: Isaac Thorpe of Thorpe Law in Raleigh and Kevin Bunn of Cary

Attorneys for defendants: Ben Thompson of Broughton Wilkins Sugg and Thompson in Raleigh for at-fault driver and David Fothergill of Yates, McLamb and Weyher in Raleigh for UIM