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Collision settlement nets \$1.07M

■ DAVID DONOVAN

An informal employment arrangement proved to be no hurdle to a settlement for two plaintiffs injured in a head-on collision while on the job in Beaufort County. Attorneys for the plaintiffs report that they reached a confidential settlement with the company's under-insured motorist insurer for the full policy limits, as well as negotiating a waiver of a lien on the driver's workers' compensation payments.

Meredith Hinton of Ricci Law Firm in Greenville, one of the attorneys for the plaintiffs, said that her clients were in a romantic relationship. One client owned her own company, and the other worked for the company, but instead of receiving a formal wage, was provided money to help pay his bills. (The names of the plaintiffs and the company were withheld due to a confidentiality agreement.)

The male plaintiff was driving his personal truck in the course of his work for the company, and the company owner was riding as a passenger, when the truck was struck head-on at 55 mph in August 2013, Hinton said.

Both plaintiffs suffered serious injuries. The driver sustained a left hip dislocation and fractures

SETTLEMENT REPORT

PERSONAL INJURY/WORKERS' COMP

Amount: \$1,070,000 plus waiver of \$268,000 workers' compensation lien

Injuries alleged: Fractures to a number of body parts for two plaintiffs

Case name: Confidential

Date of settlement: Nov. 9, 2015

Attorneys for plaintiff: Meredith Hinton of Ricci Law Firm in Greenville and Marcus Conner of The Graham Nuckolls Conner Law Firm in Greenville

of the larynx, trachea, left ankle, right heel, left ribs and left hip bone socket, as well as acute respiratory distress. He underwent surgeries requiring implants to set the bones. The passenger suffered fractures to a vertebra, her sternum, and multiple ribs.

The driver of the vehicle that collided with the plaintiffs had liability coverage capped at only \$60,000 per accident, but the passenger's company carried a policy for under-insured motorist coverage up to \$1 million. Hinton said that a detailed investigation showed that the plaintiffs were using the truck in the course of business, and the plaintiffs settled with the insurance carrier for the full policy limits.

"I think we we're all really pleased with the outcome," Hinton said. "The client hugged me and sent me a Christmas present. I know they were happy." Additionally, Hinton said, the driver settled his workers' compensation case for a further \$70,000, plus a full waiver of the workers' compensation lien on the proceeds from his settlement with the insurance company. At the time of settlement, the lien was \$268,000.

Of the \$1 million, the driver received \$851,000 and the passenger received \$149,000.



Hinton



Conner