



Hartline Dacus Barger Dreyer LLP Successfully Defends Tuttle & Tuttle Trucking, Inc. in Jury Trial Involving High-Speed Crash between 18-Wheeler and SUV in Johnson County

DALLAS, Texas, April 25, 2017, (PRWEB)— Hartline Dacus Barger Dreyer LLP today announced that its attorneys, Darrell Barger, Brian Rawson, and Stephanie Roark, successfully defended Tuttle & Tuttle Trucking, Inc. and one of its drivers in a three-week jury trial in Cleburne, Johnson County, Texas involving a truck crash.

According to the suit filed in the 18th Judicial District Court of Johnson County, Texas, Plaintiff Scott Harris, age 38, was driving his 2003 Chevrolet Suburban on US 67 just outside Cleburne, Texas with his mother, Sandra Harris, in the front passenger seat, on October 24, 2011. As they approached the intersection of US 67 and County Road 308, a Tuttle & Tuttle 18-wheeler driven by one of its employees attempted to turn left onto US 67 from County Road 308 in front of Mr. Harris' vehicle. Plaintiffs alleged that the tractor-trailer driver failed to yield the right-of-way, which resulted in Mr. Harris t-boning the trailer at a high speed. In the crash, Mr. Harris sustained a compound wrist fracture, a leg fracture, a facial fracture, and a traumatic brain injury, and Mrs. Harris suffered a lacerated spleen, perforated colon, and skull fracture. Plaintiffs claimed they suffered severe and permanent injuries as a result of Defendants' alleged negligence and gross negligence.

Plaintiffs' attorney, John David Hart, called more than 25 witnesses in an attempt to prove his case, trial transcripts show. One of the witnesses was Tuttle & Tuttle's driver, who admitted he was negligent and acted with conscious indifference by pulling out in front of the Harris vehicle. Plaintiffs' counsel also called Scott Harris' treating neurologist, Azreena Thomas, M.D., who testified that because of his traumatic brain injury, Mr. Harris currently suffers from a seizure disorder that requires him to take anti-seizure medication. Dr. Thomas also opined that Mr. Harris will develop medically refractory epilepsy within five years, which will cause his medication to become ineffective and prevent him from driving and working at his job as an executive director at United Services Automobile Association (USAA). Plaintiffs' counsel also called a vocational consultant, Carl Hanson, who testified that Mr. Harris would have reached the CEO level within four years, but for the truck crash.

Defense counsel argued that this unfortunate accident and the resulting injuries to Scott and Sandra Harris occurred because Mr. Harris failed to safely operate his vehicle. All of the scene witnesses and Plaintiffs' weather consultant, meteorologist David Finrock, testified that the visibility in the area of the accident was 200-250 feet due to dense fog, trial transcripts reveal. Evidence retrieved from the Suburban's airbag module ("black box") showed Mr. Harris had the cruise control set at 71 mph until two seconds before impact, despite the foggy conditions and 65 mph posted speed limit. Scott and Sandra Harris never acknowledged the foggy conditions: they testified it was merely overcast and they were both wearing their sunglasses when the accident occurred. Defense counsel succeeded in getting Plaintiffs' accident reconstruction expert, Richard Schlueter, to admit that had Mr. Harris been traveling between 60-65 mph, he would have been able to stop his vehicle safely before hitting the 18-wheeler.



Regarding Plaintiffs' alleged injuries, defense counsel argued that: (1) Mrs. Harris has recovered from her physical injuries and returned to her pre-crash condition; and (2) Mr. Harris is expected to make a full recovery from his orthopedic injuries and did not suffer a lasting head injury. Defense counsel was able to get Mr. Harris to admit that not only is he receiving good evaluations at work and earning more money since the accident, he now supervises over a hundred more employees at USAA than before the accident.

Court documents show that Plaintiffs' counsel asked the jury during closing arguments to award over \$21 million in damages for past and future medical expenses, lost wages, disfigurement, physical impairment, and conscious pain and suffering. On May 22, 2013, after 90 minutes of deliberations, the Johnson County jury of six women and six men found Plaintiff Scott Harris 60% responsible for the accident, which barred him from recovering damages and limited his mother's recovery to \$66,800 in medical expenses.

About HDBD Hartline Dacus Barger Dreyer LLP is a Texas-based law firm specializing in civil litigation and trials, with offices in Dallas, Corpus Christi and Houston. The firm's attorneys pride themselves on providing uncompromising excellence to their clients in a variety of areas, including products liability, commercial litigation, class action and multidistrict litigation, intellectual property, personal-injury defense, premises liability, labor and employment, insurance coverage, healthcare, construction, and dealer/franchise litigation. For more information about HDBD, visit www.hdbdlaw.com.