

NOTABLE VERDICTS AND SETTLEMENTS

FRYER, SHUSTER & LESTER, P.C.

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NOTE

These are actual settlements and verdicts in cases handled by Fryer, Shuster & Lester, P.C. over the past fifteen years. Although many of the cases are matter of public record, some clients may not wish their name be used in this document; thus, we have removed the actual name of the Fryer, Shuster & Lester, P.C. client, replacing it with "FSL Client." There are numerous other cases that could be listed in this Summary. This summary illustrates the Firm's breadth of experience in handling serious premises, auto, trucking, motorcycle, medical malpractice and other types of injury cases. In providing this summary, no representation is made about the quality of the legal services performed or the expertise of the lawyer performing such services. The results shown here are based on specific factual and legal circumstances of each of the cases, and do not guarantee any particular result for any client's case. Please feel free to contact Mr. Fryer for additional information.

1993: FSL Client v. Federal Express
State Court of Fulton County.

Lawsuit alleged Federal Express driver crossed the center line and struck FSL client head-on. FSL client suffered injuries including, but not limited to, neck injuries requiring surgery. Case settled on the first day of trial after testimony of Neurosurgeon for the sum of \$550,000.00.

FSL Client v. Merrill & Stone, P.C.
Superior Court of Emanuel County

Lawsuit alleged pilot error caused crash of privately owned airplane resulting in death of FSL client's son. Case settled before trial for a confidential amount.

1994: FSL Client v. Sanders
State Court of Fulton County

Lawsuit alleged Sanders crossed the center line and struck FSL Client head-on. FSL Client suffered injuries including, but not limited to, a nerve injury to his right arm requiring surgery. Case settled for the sum of \$150,000.00.

1995: FSL Client v. Hornbeck

Claim involved motor vehicle collision resulting in neck injury to FSL Client. Case settled for policy limits of \$100,000.00.

FSL Client v. Pringle

State Court of Fulton County

Lawsuit alleged that Pringle violated traffic control signal resulting in collision. FSL Client suffered injuries including, but not limited to, a leg injury requiring surgery. Case settled for the sum of \$80,000.00.

FSL Client v. Mullinax

Claim involved motor vehicle collision when Mullinax crossed median on Highway 400 and struck FSL Client head-on causing FSL Client to leave the road. FSL Client suffered injuries including, but not limited to, facial lacerations and a wrist injury. Case settled for the sum of \$80,000.00.

FSL Clients v. Friday

State Court of Fulton County

Lawsuit alleged that Friday crossed the center line in Roswell, Georgia resulting in a head-on collision. FSL Client suffered leg injury including, but not limited to, leg fracture requiring surgery. FSL Client's case settled for the sum of \$90,000.00. FSL Client suffered injuries including, but not limited to, a neck injury that did not result in surgery. FSL Client's case settled for the sum of \$217,500.00.

FSL Client v. Toyota

State Court of Fulton County

Lawsuit alleged that as a result of intersection collision, seat belt in Toyota detached, door opened, and driver FSL Client left vehicle striking roadway resulting in brain injury. Case tried for two weeks in the State Court of Fulton County. Verdict in favor of FSL Client in the amount of forty-six million five hundred thousand dollars (\$46,500,000.00). Husband of FSL Client was awarded one million dollars (\$1,000,000.00) as loss of consortium. This is the largest personal injury verdict for compensatory damages in the history of the State of Georgia.

1996: FSL Client v. Subaru

United States District Court

Northern District of Georgia

Lawsuit alleged that the driver's seat belt in the Subaru was defective resulting in spool out at time of motor vehicle collision. FSL Client's face hit steering column resulting

in facial injuries including, but not limited to, an eye injury. Case settled for the sum of \$225,000.00.

FSL Client v. Walker
State Court of Fulton County

Lawsuit alleged that Walker struck FSL Client in the rear resulting in injuries to her neck including, but not limited to, disc rupture requiring surgery. Case settled for policy limits in the amount of \$100,000.00.

FSL Client v. Morano

Claim involved motor vehicle rear-end collision resulting in injuries to FSL Client including, but not limited to, a non-surgical neck injury. Case settled for the sum of \$85,000.00.

1997: FSL Client v. Curb Specialists, et al
State Court of Rockdale County

Lawsuit alleged that as a result of rear-end collision FSL Client was killed. Case settled one week before trial for the sum of \$767,500.00. FSL Client was a 65 year old woman who was survived only by her husband.

FSL Client v. McEvoy

Claim involved a motor vehicle rear-end collision resulting in injuries to FSL Client including, but not limited to, neck injury requiring disc surgery. Case settled for the sum of \$95,000.00.

FSL Client v. Davis Logging
Superior Court of Monroe County

Lawsuit alleged that Davis Logging caused rear-end collision resulting in injuries to FSL Client including, but not limited to, a head injury. Case settled for the sum of \$90,000.00.

FSL Client v. Stage Company, US
United States District Court
Northern District of Georgia

Lawsuit alleged that FSL Client fell through stage opening caused by the negligence of stage hands resulting in pelvic injury requiring surgery. Case settled in mediation for the sum of \$90,000.00.

1998: FSL Client v. Lantech
State Court of Fulton County

Lawsuit alleged that FSL Client sustained leg injury when electrical box in factory detached from wall falling on his knee resulting in ligament tear. This product liability case settled for the sum of \$100,000.00.

FSL Client v. Golden State Foods
State Court of Cobb County

Lawsuit alleged that FSL Client fell when defective roof constructed at Golden State Foods facility collapsed resulting in FSL Client suffering hip injury requiring surgery. Case settled in mediation for the sum of \$825,000.00.

1999: FSL Client v. Wal-Mart
United States District Court
Northern District of Georgia

Lawsuit alleged that FSL Client sat in a defective chair left at check-out counter in Wal-Mart store which collapsed resulting in back injury requiring surgery. Case settled at mediation for the sum of \$200,000.00.

FSL Client v. Mallory
State Court of Fulton County

Lawsuit alleged that rear-end motor vehicle collision caused FSL Client to suffer non-surgical back injury. Case settled for the sum of \$85,000.00.

FSL Client v. Walker
State Court of Clayton County

Lawsuit alleged that FSL Client was injured in rear-end motor vehicle collision resulting in neck injury requiring surgery. Case settled for the sum of \$90,000.00.

FSL Client v. Reader
State Court of Gwinnett County

Lawsuit alleged that FSL Client was injured in a motor vehicle intersection collision resulting in ankle injury requiring surgery. Case settled for the sum of \$221,000.00.

FSL Client v. Eggerson
State Court of Clayton County

Lawsuit alleged that FSL Client's child suffered dog bites due to Eggerson's negligence in failing to secure dog. Case settled for policy limits of \$100,000.00.

FSL Client v. Harriman Builders
State Court of DeKalb County

Lawsuit alleged that FSL Client was injured when he fell through unguarded opening in a house under construction. FSL Client suffered back injury requiring surgery. Case settled for the sum of \$950,000.00.

FSL Client v. Whitlow
State Court of Clayton County

Lawsuit alleged that Whitlow caused rear-end motor vehicle collision resulting in vehicle occupied by FSL Client leaving the road and rolling over. FSL Client suffered right arm amputation. Case settled for policy limits of \$1,100,000.00. Counsel for FSL Client was responsible for causing State Farm Insurance Company to increase its policy limits from \$100,000.00 to \$1,100,000.00 for FSL Client's injury.

2000: FSL Client v. Carr America
State Court of Fulton County

Lawsuit alleged that FSL Client suffered injuries when he slipped and fell in office building managed by Carr America. FSL Client suffered non-surgical back injury. Case settled for the sum of \$76,000.00.

FSL Client v. Truss Specialties
State Court of Clayton County

Lawsuit alleged that FSL Client was injured when a truss in a house under construction detached resulting in FSL Client falling to ground suffering back injury. Product liability expert witness testimony proved that the truss manufacturer was negligent in failing to properly attach truss braces. Case settled for the sum of \$100,000.00.

FSL Client v. L & W Limestone
Superior Court of Gilmer County

Lawsuit alleged that truck collision was caused by negligence of L & W Limestone in failing to make proper turn across roadway. FSL Client was a passenger in the vehicle that struck side of tractor trailer. FSL Client suffered back injury requiring surgery. Case settled for policy limits of \$500,000.00.

2001: FSL Client v. Skelton

Claim involved motor vehicle collision involving neck injury to FSL Client. Case settled for policy limits of \$100,000.00.

FSL Client v. Circle K
State Court of DeKalb County

Lawsuit alleged that FSL Client suffered injuries to her knee when she slipped and fell on snow and ice at a Circle K. Case settled at mediation for the sum of \$75,000.00.

FSL Client v. Aquarius Enterprises
State Court of Cobb County

Lawsuit alleged that FSL Client was injured when he fell from unprotected wall opening at house under construction in Lake Allatoona Community. FSL Client suffered injuries including, but not limited to, a head injury. Case settled at mediation for the sum of \$715,500.00.

FSL Client v. Hammer
Superior Court of Lumpkin County

Lawsuit alleged that motor vehicle collision on ice northbound 400 in Lumpkin County caused FSL Client to suffer injuries including, but not limited to, a neck injury requiring surgery. Case settled for policy limits of \$100,000.00.

2002: FSL Client v. Barton

Claim involved motor vehicle collision involving injuries to FSL Client including, but not limited to, neck injury requiring surgery. Case settled for policy limits of \$100,000.00.

FSL Client v. Bishop
Superior Court of Fannin County

Lawsuit alleged that a motor vehicle collision was caused by negligence of Bishop. FSL Client suffered injuries including, but not limited to, a non-surgical neck injury. Case settled for the sum of \$82,500.00.

FSL Client v. Alleyne
State Court of Rockdale County

Lawsuit alleged that FSL Client was injured when real estate agent Alleyne was negligent causing motor vehicle collision. FSL Client was a passenger and customer of Alleyne. FSL Client suffered injury including, but not limited to, a leg injury. Case settled for the sum of \$300,000.00.

FSL Client v. Premier Image
State Court of DeKalb County

Lawsuit alleged that FSL Client suffered burn injuries at the Premier Image clinic after receiving a chemical peel to her legs. Case settled at mediation for a confidential amount.

FSL Client v. Opelika Industries
State Court of Clayton County

Lawsuit alleged that FSL Client suffered injuries including, but not limited to, a back injury when he fell off a loading dock at Opelika Industries' plant. FSL Client was avoiding a moving fork-lift truck at the time of injury. Case settled at mediation for the sum of \$150,000.00.

FSL Client v. USA Food Corp.
State Court of Fulton County

Lawsuit alleged that USA Food Corp. was negligent in providing a defective chair at its restaurant. FSL Client fell through the defective chair. FSL client suffered a back injury including, but not limited to, a herniated disc requiring surgery. Case settled on first day of trial for the sum of \$480,000.00.

FSL Client v. Allen
State Court of Clayton County

Lawsuit alleged that FSL Client suffered a shoulder injury when he was knocked down by Allen who had exited a drive through at Chick-Fil-A not watching where he was driving. FSL Client suffered shoulder injury including, but not limited to, a rotator cuff injury requiring surgery. Case settled for the sum of \$250,000.00.

2003: FSL Client v. Smith
State Court of Fulton County

Lawsuit alleged that FSL Client was injured when he was walking his dog in his neighborhood and was the victim of a high speed chase when he was struck by a fleeing vehicle operated by Smith. FSL Client suffered injuries including, but not limited to, a leg injury. Case settled in mediation for the sum of \$190,000.00.

FSL Client v. Wieselmann
United States District Court
Northern District of Georgia

Lawsuit alleged that FSL Client's vehicle was struck in the rear by a tractor trailer on I-75 near Tifton, Georgia. FSL Client suffered injuries including, but not limited to,

post-traumatic stress and leg fracture. Case settled at Federal Court Mediation for the sum of \$123,000.00.

FSL Client v. Georgia Peanut Commission

State Court of Fulton County

Lawsuit alleged that FSL Client was injured in a vehicle collision caused by the negligence of an employee of the Georgia Peanut Commission. FSL Client suffered injuries including, but not limited to, an arm and shoulder injury requiring surgery. Case settled for the sum of \$115,000.00.

FSL Client v. Daniels

State Court of Jackson County

Lawsuit alleged that FSL Client was injured in motor vehicle collision caused by the negligence of Daniels. FSL Client suffered injuries including, but not limited to, a back and neck injury. Case settled for the sum of \$90,000.00.

FSL Client v. Armistead

State Court of Cherokee County

Lawsuit alleged that FSL Client was injured when she was struck as a pedestrian and suffered a head injury. Case settled for policy limits of \$100,000.00.

FSL Client v. McFry

State Court of Lumpkin County

Lawsuit alleged that FSL Client was injured in motor vehicle collision. FSL Client suffered injuries including, but not limited to, a back injury. Case settled for the sum of \$93,000.00.

FSL Client v. Estate of Bullard

State Court of Cobb County

Lawsuit alleged that FSL Client was injured when Bullard hit FSL Client's vehicle from the rear. Bullard died during the period of the lawsuit and his Estate was substituted as Defendant. FSL Client suffered injuries including, but not limited to, a back injury requiring surgery. Case settled on the first day of trial for the sum of \$250,000.00.

FSL Client v. Landry

Claim involved motor vehicle collision caused by the negligence of Landry. FSL Client suffered injuries including, but not limited to, a non-surgical neck injury. Case settled for policy limits of \$100,000.00.

2004: FSL Client v. Pike Nurseries
State Court of Fulton County

Lawsuit alleged that FSL Client slipped and fell at Pike Nurseries due to algae on floor. FSL Client suffered injuries including, but not limited to, back injury requiring surgery. Case settled at mediation for the sum of \$250,000.00.

FSL Client v. James
State Court of Cobb County

Lawsuit alleged that James struck FSL Client from the rear while FSL Client was stopped on a motorcycle. FSL Client was thrown from the motorcycle and suffered injuries including, but not limited to, a non-surgical hip injury. Case settled at mediation for the sum of \$90,000.00.

FSL Client v. Holbrooks
Superior Court of Toccoa County

Lawsuit alleged that Holbrooks was negligent in a motor vehicle collision with FSL Client as passenger in Holbrooks' vehicle. Vehicle left road resulting in collision and injuries to FSL Client including, but not limited to, a neck injury requiring surgery. Case settled for the sum of \$125,000.00.

FSL Client v. Georgia Power
State Court of Fulton County

Lawsuit alleged that FSL Client was acting as a subcontractor on the premises of Georgia Power when he tripped and fell over a foreign object sticking up from the ground. FSL Client suffered injuries including, but not limited to, a knee injury requiring surgery. Case settled at mediation for the sum of \$100,000.00.

FSL Client v. St. Gobain
State Court of Fulton County

Lawsuit alleged that FSL Client suffered hand injury when a defective polishing wheel exploded. Product liability claims against St. Gobain included negligent manufacture, distribution, and sale of polishing wheel. Case settled at mediation for the sum of \$200,000.00.

FSL Client v. Atlas Roofing

Claim involved burn injuries suffered by FSL Client while unloading hot asphalt at Atlas Roofing facility. Case settled at mediation for the sum of \$90,000.00.

FSL Client v. Burlington Motor Carriers
State Court of Fulton County

Lawsuit alleged that FSL Client was delivering beer into Burlington Motor Carriers' trailer when air hose burst causing trailer to drop onto its wheels. FSL Client suffered injuries in the fork-lift truck he was operating including, but not limited to, shoulder injury requiring surgery. Case alleged negligence against Burlington Motor Carriers for maintaining defective trailer and American Spotting Company for transporting defective trailer to the dock of the Cartersville Brewery where injury occurred. Case settled at mediation for the sum of \$350,000.00.

2005: FSL Client v. Jacobs
State Court of Fulton County

Lawsuit alleged that FSL Client was injured when she fell from ladder in Jacobs' residence. Jacobs was claimed to have let go of ladder. FSL Client suffered arm fracture. Case settled at mediation for the sum of \$85,000.00.

FSL Client v. Herndon
State Court of Fulton County

Lawsuit alleged that FSL Client was injured when Herndon failed to yield right-of-way at intersection in front of Lenox Square Mall. FSL Client suffered leg injury involving non-surgical fracture. Case settled for the sum of \$85,000.00.

FSL Client v. Hill Aircraft
State Court of Fulton County

Lawsuit alleged Hill Aircraft negligently repaired airplane piloted by FSL Client which crashed after take off due to empty fuel tank. FSL Client suffered injuries including, but not limited to, head, trunk, and leg injuries. Case settled for the sum of 2 million dollars the day before trial.

2006: FSL Client v. Lee
State Court of Paulding County

Lawsuit alleged that FSL Client was injured while operating motorcycle when Lee failed to yield right-of-way crossing in front of FSL Client's motorcycle. FSL Client suffered injuries including, but no limited to, leg injury requiring surgery. Case settled at mediation for the sum of \$115,000.00.

FSL Client v. SAIA Motor Freight Lines
State Court of Fulton County

Lawsuit alleged that FSL Client was injured when SAIA Motor Freight tractor trailer crossed into her lane causing collision. FSL Client suffered injuries including, but not limited to, facial lacerations. Case settled at mediation for the sum of \$80,000.00.

FSL Client v. Advanced Disposal
State Court of Gwinnett County

Lawsuit alleged that Advanced Disposal truck hit vehicle occupied by FSL Client in the rear. FSL Client suffered injuries including, but not limited to, an eye injury and leg injury. Case settled at mediation for the sum of \$450,000.00.

FSL Client v. Jones Trucking
United States District Court
Eastern District of Tennessee

Lawsuit alleged that FSL Client was injured when Jones Trucking's tractor trailer hit FSL Client's bobtail tractor in the rear causing it to leave the road and overturn. FSL Client suffered injuries including, but not limited to, a neck injury requiring surgery. Case settled one day before trial for the sum of \$650,000.00.

FSL Client v. Kague
State Court of Gwinnett County

Lawsuit alleged that FSL Client was injured when vehicle operated by Kague hit him in the rear on the interstate. FSL Client suffered injuries including, but not limited to, a neck injury requiring surgery. Case settled one week before trial for the sum of \$165,000.00.

FSL Client v. Pioneer Concrete
State Court of DeKalb County

Lawsuit alleged that FSL Client was injured when Pioneer Concrete's pumper caused pumping hose to become clogged. When hose unclogged it whipped into FSL Client knocking him off top of building. FSL Client suffered injuries including, but not limited to, a leg injury requiring surgery. Case settled at mediation for the sum of \$170,000.00.

FSL Client v. Tate
State Court of DeKalb County

Lawsuit alleged that OBGYN Tate caused injury to FSL Client's son during birth. Case settled one week before trial for a confidential amount.

2007: FSL Client v. Platinum Cleaners
State Court of Fulton County

Lawsuit alleged that FSL Client was injured when vehicle driven in the course of Platinum Cleaners' business crossed the center line on GA 400 resulting in head-on collision. FSL Client suffered injuries including, but not limited to, a non-surgical back injury. Case settled at mediation for the sum of \$150,000.00.

FSL Client v. Advanced Disposal
State Court of Gwinnett County

Lawsuit alleged that FSL Client was injured when Advanced Disposal truck hit FSL Client's vehicle in the rear. FSL Client suffered injuries including, but not limited to, a neck injury requiring surgery. Case settled at mediation for the sum of \$587,500.00.

FSL Client v. Crete Trucking Company
United States District Court
Northern District of Georgia

Lawsuit alleged that Crete Trucking Company driver fell asleep leaving the road and killing FSL Client's spouse who was acting as a mechanic repairing a UPS vehicle disabled on the side of the road. Case settled at Federal Court ordered mediation for a confidential amount.

FSL Client v. General Wholesale
State Court of Fulton County

Lawsuit alleged that FSL Client was injured when she was a passenger in a vehicle struck in the rear by truck operated by employee of General Wholesale Company. FSL Client suffered injuries including, but not limited to, a neck injury requiring surgery. Case settled for the sum of \$350,000.00.

FSL Client v. Kone, Inc.
State Court of Clayton County

Lawsuit alleged that FSL Client was injured when a freight elevator gate maintained by Kone fell on top of his head causing injury to his neck requiring surgery. Case settled at mediation for the sum of \$500,000.00.

FSL Client v. O.L. Jollay and Atlanta Masonry
State Court of DeKalb County

Lawsuit alleged that FSL Client was injured when Atlanta Masonry Contractor's employee dropped scaffold braces on top of FSL Client's shoulder requiring surgery. Case settled at mediation for a confidential amount.