

Kentucky Trial Court Review

The Most Current and Complete Summary of Kentucky Jury Verdicts

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Comprehensive Statewide Jury Verdict Coverage

Civil Jury Verdicts

Complete and timely coverage of civil jury verdicts including circuit, division, presiding judge, parties, case number, attorneys and results.

Property Negligence - A teenage girl (age 16 and a novice driver) and her grandmother (the wife of a state representative) suffered very serious injuries (the claimed damages were \$17,000,000) when the girl pulled from a t-style intersection into the path of an oncoming drunk driver who the girl had failed to see – the girl and her grandmother settled with the drunk driver before suing an RV/camper company adjacent to the intersection on a theory it blocked their view of the oncoming drunk driver – the RV company replied that the sight lines were 350-plus feet and that the teenage driver had rolled through the stop sign

Shipp et al v. Arrowhead Camper Sales, 18-396

Plaintiff: Matthew E. Durham, Elizabethtown and C. Wesley Durham, Radcliff, *Miller & Durham*, Elizabethtown for Shipp (Teenager) Craig Housman and Michael Mann, *Housman Garatt & Duncan*, Paducah for Heath (Grandmother)

Defense: Melissa Thompson Richardson and Colin Buckner, *Richardson Law Group*, Lexington
Verdict: Defense verdict on liability

Court: **Graves**

Judge: Timothy A. Langford

Date: 1-19-24

Julia Shipp, age 16 and of

Elizabethtown, had visited her grandparents in Mayfield on 10-13-17. Shipp was returning to her grandmother's home later that evening and drove on Ky. 131 to its intersection with Ky. 58. Shipp had a driver's permit and had only been driving a few months. Shipp's grandmother, Ruth Heath, was a passenger. Heath is the wife of state representative, Richard Heath.

At this t-style intersection, there is a stop sign and a flashing red light to control inferior traffic from Ky. 131. On the left side of the road and adjacent to the intersection is Arrowhead Camper Sales. They sell recreational vehicles and campers as the name implies. Several were parked on the property. At the same time Robin Tucker was driving on the superior Ky. 58. He wasn't speeding but he was drunk. His BAC was later measured at .219.

Despite Tucker's intoxication, he saw the Shipp vehicle (a Chevrolet sedan) approaching. He assumed it would come to a stop. Instead Shipp rolled through the intersection (it was captured on surveillance video) and made her left turn. She did so into the

path of the oncoming Tucker. Neither Shipp nor Heath had seen him coming.

There was a devastating crash and both Shipp and her grandmother suffered serious injuries. They were airlifted to Vanderbilt. Heath suffered a spleen laceration, five broken ribs and aggravated a shoulder that had just been repaired surgically. She was in the hospital for five days. Heath's medical bills were \$215,625 and she sought \$80,000 for future care. She sought \$500,000 for impairment and \$600,000 for her pain and suffering.

Shipp suffered life-threatening injuries. They were a broken pelvis, seven broken ribs, orbital fractures as well as lacerations of her spleen, kidney and liver. She underwent an embolization procedure due to internal bleeding that saved her life. Shipp also suffered a traumatic brain injury. She was hospitalized for a month at Vanderbilt before transferring to Frazier Rehabilitation Hospital in Louisville.

Shipp's medical bills were \$684,350 and she claimed \$1,000,000



The scene of the intersection and an image of the plaintiff's vehicle