

VIRGINIA LAWYERS WEEKLY

Vol. 25, No. 13

August 30, 2010

www.valawyersweekly.com

Hummer hits motor scooter, kills operator in Chesapeake

\$1,250,000 Settlement

On May 30, 2009, plaintiff's decedent was operating her motor scooter on a city roadway in Chesapeake. The defendant, age 16, was driving a Hummer/H3 and pulled out in front of decedent's scooter. The resulting collision caused her death.

Prior to the crash, the parents of the minor driver had been advised of their son's reckless driving while operating the Hummer. The prior incident involved careless disregard for the safety of children and driving the Hummer at a high rate of speed in a residential neighborhood. The parents of the defendant, however, took no corrective action. The plaintiff also alleged that the parents were aware of the defendant's inexperience in driving the vehicle but allowed him to operate it without supervision or restriction.

The decedent was 49 and was retired from the United States Air Force as a lieutenant



ZYDRON



GILL



SIX

colonel. At the time of her death, she was employed by the United States Joint Forces Command as a senior strategist. She was survived by her husband.

Policy limits were demanded. However, no offer was made for settlement of the wrongful death case or for the property damages prior to suit being filed. A bad faith letter and complaint were filed and forwarded to State Farm. The insurance carrier then offered the policy limits of \$1,250,000. The settlement was approved by the court on June 18, 2010. [10-T-121]

Type of action: Negligent entrustment; wrongful death

Injury alleged: Wrongful death

Name of case: John K. Staff, Executor of the Estate of Natalie Turner Staff, deceased v. Hurst, et al.

Court: Norfolk Circuit Court

Case no.: CL10-3286

Special damages: \$4,494,622

Verdict or Settlement: Settlement

Amount: \$1,250,000

Date: June 18, 2010

Experts: Robert Archer, ABPP, licensed

clinical psychologist; Edward M. Cross PhD, economist; William J. Duane PhD, psychologist; F. Charles DeMark, vocational expert

Plaintiff's Attorneys: John E. Zydron, C. Stewart Gill and Catherine M. Six, Virginia Beach