

# VIRGINIA LAWYERS WEEKLY

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## Injury from intentional crash covered by UM insurance

### \$401,000 Verdict (plus interest)

Plaintiff was a 70-year-old man whose son had two children with the defendant. The defendant got into a dispute with the plaintiff's son, and came over to the plaintiff's house on the morning of March 6, 2009, and smashed out windows of plaintiff's vehicles.

The police arrested her and she was taken away and then released. On release she came over in her car and drove into the plaintiff's driveway at a high rate of speed trying to kill plaintiff's son, but instead ran over plaintiff and knocked him through a fence. The entire car passed over him as he was on the ground. He spent three days in the hospital and had little treatment upon release.

Judge Stout reduced punitive damages to

\$50,000 and reduced the amount of interest to accrue only on the compensatory award from the date of the accident the plaintiff accepted this under protest. GEICO paid \$300,000 under uninsured motorist coverage. Plaintiff intends to bring a declaratory judgment action against an umbrella policy because GEICO has refused to pay the remaining balance available under the umbrella coverage. [10-T-112]



ALEXANDER

**Type of action:** Personal injury

**Injuries alleged:** Two broken ribs, cuts, bruises and abrasions

**Name of case:** Sherman Stoots v. Dee Dee Corlette Grady

**Court:** Richmond Circuit Court

**Case no.:** CL09-3994

**Tried before:** Jury

**Name of judge:** Walter W. Stout III

**Special damages:** \$37,388.65

**Verdict or Settlement:** Verdict

**Amount:** Compensatory - \$300,000; punitive - \$100,000; property damage - \$1,000; plus interest on \$401,000 from March 7, 2009

**Date:** June 22, 2010

**Demand:** \$250,000

**Highest offer:** \$100,000

**Experts:** No experts testified

**Insurance carrier:** GEICO

**Plaintiff's attorney:** Emmet D. Alexander, Chesterfield