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DAILY REPORT

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ALM

Couple Injured by Drunken Driver on I-85 Reach \$1.5M Settlement

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A COUPLE WHOSE car was sent spinning into a median wall on Interstate 85 after being hit by a speeding drunken driver reached a \$1.5 million policy-limit settlement with the at-fault driver's insurer, State Farm Insurance.

The man and woman each suffered back injuries, and the woman underwent shoulder surgery as well. Their combined medical bills totaled more than \$325,000.

James A. Rice Jr. P.C. principal Jimmy Rice, who represented Rose Bates and Thomson Verghese, hailed the prompt settlement that followed his Feb. 4 demand letter.

"They were well-deserving clients, and State Farm did the right thing by protecting their insured," Rice said.

A spokesman for State Farm said there would be no comment on the case.

According to Rice and his demand letter, Verghese was at the wheel of his Nissan Altima as he and Bates traveled down I-85 near Newnan at about 2 a.m. last April.



(courtesy photo)

Jimmy Rice secured the settlement from the at-fault driver's insurer, State Farm.

Traveling behind them in a Ford Explorer was Justin Stamey, 23, who was driving at speeds of over 100 miles per hour and drunk "to the point of near unconsciousness," according to Rice's letter.

A witness said Stamey was weaving between lanes when he struck Verghese's car, knocking it across the highway and into the median wall.

Rice said investigators estimated Stamey was traveling at between 85 mph and 88 mph when he hit the couple's car.

Bates, 46, was taken by ambulance to Piedmont Hospital complaining of back, shoulder and neck pain and underwent a regimen of treatment that failed to relieve her pain. She underwent cervical

radioablation treatment on four vertebrae and surgery on her shoulder joint and rotator cuff.

James A. Rice Jr. P.C. principal Jimmy Rice, who represented Rose Bates and Thomson Verghese, hailed the prompt settlement that followed his Feb. 4 demand letter. “Given the circumstances, I don’t think they had a lot of choices,” Rice said.

Verghese, 54, experienced headaches and increasing pain in his neck, back and wrist and was diagnosed with several bulging and herniated disks requiring laser disc decompression.

Stamey was charged with driving under the influence, reckless driving, speeding and driving without a seat belt, Rice said.

Rice said Stamey pleaded guilty to DUI in Coweta County and was sentenced to 10 days in jail.

Stamey’s State Farm policy provided \$250,000 per-person coverage and \$1 million in excess liability coverage.

Rice demanded the full \$1.5 million limit and provided the statutory minimum of 30 days to respond.

“This is not a case where State Farm can roll the dice and not use this opportunity to fully protect its insured,” the letter said.

The insurer agreed in March, and the settlement was finalized and executed the first week of April, Rice said.

“We’re happy with it,” he said. “Given the circumstances, I don’t think they had a lot of choices.” 