



Helping victims and their families

An auto accident can change your life, or the life of a loved one, forever.

In 2014, more than 2.3 million people were injured in car wrecks and other traffic accidents in the United States. More than 32,000 people were killed. Hundreds of thousands suffered catastrophic personal injuries, including paralysis, traumatic brain injury (TBI) or other head injury.

Auto accidents can lead to short-term and long-term disability, leaving victims unable to work and suffering from pain and medical problems. According to the federal government, “There is considerable evidence to indicate that the most serious injuries are not adequately covered by insurance. ... The loss in wages resulting from serious injury can be catastrophic to the victim’s economic wellbeing in addition to their physical and emotional condition.”*

All of us — whether we drive in cars, bike, ride motorcycles or ride in vehicles driven by others — are vulnerable to car accidents and the catastrophic personal injuries and wrongful deaths that can result.

Insurance companies may seek to minimize their financial liability, even if that means you or your family members aren’t fairly compensated.

In addition to medical decisions that arise with severe personal injuries, victims and their families also face other tricky, stressful questions:

- *What if I can’t work because of injuries from the accident?*
- *What if I need to take time off work to care for a loved one, deal with insurance issues and get the car repaired?*
- *Who’s responsible for my medical bills? What if my insurance won’t cover all the costs?*
- *Should I sign the paperwork the insurance company is asking me to? What happens to my legal rights if I do sign? If I refuse to sign, what happens then?*

An experienced auto accident lawyer can help. Ward and Smith’s personal injury attorneys have guided many clients through these questions, and they can help you, too. Our lawyers are determined, knowledgeable advocates who will put you and your family first.

When working with accident victims, our lawyers have one goal: Ensure you receive all the compensation and assistance you are legally entitled to. Insurance companies have lawyers, shouldn’t you?

We can’t reverse the effects of a serious accident, but we’ll do everything possible to make sure you’re treated fairly and properly compensated.

Experience counts

Our lawyers have extensive knowledge of auto accident law. They’ve also handled many related types of

accidents, including bicycle and motorcycle accidents, drunk driving, cases involving pedestrians and more.

The legal aftermath of a serious car accident can be complicated. And navigating the legal system while also dealing with the medical and emotional fallout from an accident can be overwhelming. Our lawyers will guide you through the system, working to achieve the best possible outcome.

Insurance companies often will settle before a case reaches trial. However, if a settlement that's fair to you and your family can't be reached, our attorneys will take your case all the way through trial.

Our team approach ensures there's always a skilled attorney ready to answer your questions and move your case forward. Ward and Smith's legal team is backed up by licensed paralegals, certified litigation technology specialists and other support staff. They frequently travel to meet clients in person, taking on cases across North Carolina.

While it's impossible to undo the effects of a serious auto wreck, a skilled auto accident lawyer may be your best chance of getting appropriate compensation to pay for medical costs, damages to your vehicle, disability and lost wages and more.

If you or a loved has been in an accident, please don't sign documents from insurance companies without consulting an attorney who has your best interests in mind.

** The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised). National Highway Traffic Safety Administration, page 8.*

Automobile Accidents Representative Experience

Past results are no guarantee of future results. The summaries are not intended to indicate or guarantee that any of the same or similar results can be achieved in future matters; the outcome of a matter depends upon a number of factors. These summaries are intended only to provide general information about the experience of our attorneys. Summaries are drawn from 1992 through the present.

\$150,000 Awarded to Rear-end Collision Survivor

A 36-year-old dental assistant, sustained a cervical strain when she was rear-ended at stop light at low speed. Her car and the other vehicle had stopped in a line of traffic at a red light prior to collision. There was no apparent damage done to the rear of the victim's vehicle. However, there was some undetected steel frame damage done. The woman had a prior neck injury seven years before the collision, but it had completely resolved. She had 5% impairment from the collision. The liability carrier's highest pretrial offer was \$17,500. The case was tried and the Pitt County jury returned a verdict in favor of the victim for \$150,000.

\$197,600 Awarded for Permanent Pain Disorder

The victim sustained a cervical strain that led to myofascial pain disorder. She incurred \$20,000 in medical expenses and her family practitioner opined that her condition was permanent and she would have permanent, non-debilitating pain. She had also had two prior neck injuries. The highest pretrial offer by the liability carrier was for \$17,500. The case was tried and the Craven County jury returned a verdict in favor of the woman for \$197,600.

\$300,000 Settlement for Motorcycle Passenger

A 44-year-old victim was killed while riding as a passenger on a motorcycle. The case resolved prior to the filing of a lawsuit for \$300,000, representing 100% of the available insurance coverage.

\$400,000 Settlement for Head-on Collision Survivor

A 38-year-old woman sustained significant orthopedic injuries to her lower extremities when a vehicle crossed the centerline, causing a head-on collision. She underwent several surgeries and incurred approximately \$50,000 in medical expenses; she also missed a year of work as a result of her injuries. Shortly before she was deposed, the case settled for \$400,000, which was 100% of the available insurance coverage.

\$500,000 Settlement for Bicyclist

A 25-year-old man was struck while riding his bicycle along U.S. Highway 264 in Pitt County. He was riding with traffic outside the fog line at night. There was no artificial lighting as he was on a rural stretch of roadway between Farmville and Greenville. His bicycle was not equipped with the lighting and reflectors required by North Carolina law. However, he was wearing a backpack that had reflective tape on it. He also had reflectors in the spokes of his bicycle tires. The defendant was driving his car in the outside lane when he drove across the fog line and struck the victim's bicycle, knocking the bicyclist several feet and causing him to sustain a spinal fracture and dislocation at L-1/L-2, as well as a fractured ileum. He was hospitalized for two weeks and underwent two surgeries. For his spinal fracture, he was given an impairment rating of 12% of the whole person. His medical expenses were \$75,000. The case was settled after discovery for \$500,000.

\$500,000 Settlement for Auto Accident Victim's Family

The victim, 82-years-old, died as a result of a motor vehicle collision. Liability was denied. After several depositions and an exchange of expert witness reports, the case settled for \$500,000.

\$500,000 Settlement for Rear-end Collision Survivor

A 33-year-old man was injured in a relatively minor rear end collision. Unfortunately, he developed a chronic pain syndrome. The insurance company tendered its \$50,000 limit after the victim's deposition. For various reasons, the underinsured motorist arbitration claim was drawn out and by the time the matter was arbitrated in 2008, the victim had incurred medical expenses of about \$90,000. The defense contended that hardly any of those expenses were the result of injuries from the accident. After arbitration, but before the award, less than \$200,000 was offered. After the arbitration award, a settlement of \$500,000 was reached.

\$625,000 Settlement for Driver

A 57-year-old secretary sustained a wrist and ankle fractures when struck by a vehicle that ran a red light in Pitt County. The victim underwent surgery for her wrist and ankle. She sustained no permanent impairment of her wrist, but did suffer a 25% impairment of her ankle. She was out of work for several months and lost about \$20,000 of income. She also incurred medical expenses of approximately \$35,000. The case was settled for \$625,000.

\$850,000 Verdict for Passenger

A 58-year-old woman was in a work vehicle owned by a man. The vehicle ran off the road at a high speed and struck a tree causing the woman's right hip to fracture. The woman said she was a passenger and the man was driving when he lost control. The man claimed she was driving, but by the time EMTs and law

enforcement officers arrived, both had gotten themselves out of the vehicle. The woman was initially charged with reckless driving, but those charges were dropped because the district attorney couldn't establish who was driving.

The woman's hip fracture requiring open reduction and internal fixation. She was out of work for a year and lost \$25,000 of income. She also incurred medical expenses of about \$125,000. The Pitt County jury returned a verdict in favor of the woman for \$850,000.

\$908,000 Awarded to Rear-end Collision Victim's Family

A 42-year-old woman was killed instantly when she was rear-ended by another driver at an intersection in Greenville. The woman wasn't employed at the time of the accident, and was survived by her husband and two children, ages 20 and 16. The jury Pitt County returned a verdict for \$908,000.

\$1.5 Million Awarded to Adult Driver's Parents

A 27-year-old physical therapist was killed instantly when struck broadside at an intersection by a car driven by a driver who ran a red light. The victim was divorced, with no children; her only beneficiaries were her parents, ages 52 and 50, with whom she didn't live. There were no economic damages. The Pitt County jury returned a verdict for noneconomic damages — loss of relationship — for the parents, awarding them \$1.5 million plus funeral expenses.

\$1.6 Million Settlement for Head-on Collision Victim's Family

The 48-year-old president and CEO of a construction company and a concrete company, was killed when struck head on by a vehicle that crossed the centerline. He was survived by his wife of 20 years, and two children, ages 17 and 15. There were many disputes with three insurance companies concerning potential coverage. The claim was eventually settled, after a lawsuit was filed, for \$1.6 million.

\$1.65 Million Settlement for Pedestrian Struck by Vehicle

A 43-year-old woman was struck by a fast-moving vehicle as she was walking along the shoulder of the road. She suffered injuries to her face, neck, arm, back, leg and ankle, and incurred medical expenses of \$135,000. The primary insurance company offered its limit of \$500,000 after her deposition. The excess liability carrier offered an additional \$500,000 before the case's first trial setting. Immediately prior to the case's second trial setting, an additional \$650,000 was paid, for a total settlement of \$1.65 million.

\$1.7 Million Settlement for Head-on Collision Victim's Family

A 44-year-old woman was killed when she was involved in a head-on collision with a commercial van. She was survived by her 46-year-old husband and two children, ages 20 and 16. At the time of the collision, she was employed as a teacher earning approximately \$38,000 per year. Economic analysis indicated economic losses having a present value of \$750,000. The Washington County case was settled for \$1.7 million.

\$1.75 Million Settlement for Child Bicyclist Hit by Vehicle

A 13-year-old boy was struck by a car while riding his bike. He suffered a devastating head injury. The defendant denied he was at fault and argued the boy was negligent. The case was settled for \$1.75 million before the boy was discharged from his initial hospitalization. The fast resolution resulted in a Medicaid lien of only \$21,000, which allowed the majority of the settlement proceeds to be placed in a special needs trust.

The fast settlement also allowed the family to acquire adequate transportation for the boy and construct an addition on their home so they could care for him after he left the hospital.

\$3.25 Million Awarded to Driver's Family

A 39-year-old woman was killed on her way to work when she struck a train at a railroad crossing that was improperly maintained by the defendant. The net economic loss to the beneficiaries of the victim was \$350,000. The Pitt County jury returned a verdict in favor of the victim's family and awarded compensation to her spouse and three adult children of \$3.25 million.

\$6.1 Million Settlement for Driver's Debilitating Pain Disorder

A 38-year-old chiropractor received serious injuries in a motor vehicle collision involving a driver who ran a stop sign while on the job for an employer. The victim recovered from most of her injuries, but developed complex regional pain syndrome, preventing her from returning to work as a chiropractor. The defendants argued the victim could return to work. On the eve of New Hanover County trial, the parties settled for \$6.1 million.