

SOUTH CAROLINA Lawyers Weekly

Man hit by postal service truck awarded \$1.35M

By: Bill Cresenzo July 2, 2020

A man who suffered severe back and neck injuries after a U.S. Postal Service carrier t-boned his vehicle has secured a \$1.35 million verdict after a bench trial in federal court.

Mark Bringardner of the Joye Law Firm in North Charleston reports that his client, David Crimmins, was driving home in January 2016 when the mail carrier, John Boudreau, stopped his mail truck at a stop sign at a two-way stop intersection. He pulled forward and hit Crimmins' car on the passenger side.

Crimmins, who was 45 at the time of the crash, suffered a disc herniation at the L4-5 level that required a microdiscectomy surgery and continues to undergo physical therapy and chiropractic treatment for severe back and neck pain caused by it. The treatment provides temporary relief, but he stays in pain and his quality of life has diminished significantly, Bringardner said. He had been an avid biker, boater, and golfer before the wreck.

"He would ride his bike for 20 to 30 miles, and that was reduced to next to nothing," Bringardner said. He said that Crimmins wakes up every night in pain and has to sleep with special pillows, and has become much more cautious in his day-to-day and work life as a commercial real estate developer. A colleague testified that there were days after the accident when he could see that Crimmins was in pain.



Bringardner

After a two-day bench trial in August 2019, U.S. District Judge David C. Norton granted Crimmins' motion for a directed verdict as to liability and found the government to be liable for negligence. In a March 30 order Norton ruled that Crimmins had not been comparatively negligent and was entitled to a full recovery of damages for past and future medical expenses, pain and suffering, mental anguish, loss of enjoyment of life and personal impairment, and past and future loss of income and earning power.

Lee Belinsky of the U.S. Attorney's Office in Charleston represented the government. He could not be reached for comment.

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VERDICT REPORT — MOTOR VEHICLE CRASH

Amount: \$1,355,522

Injuries alleged: Disc herniation at the L4-5 level

Case name: Crimmins v. United States of America

Court: U.S. District Court for the District of South Carolina

Case No.: 2:17-cv-3470

Judge: David Norton

Date of verdict: March 30

Highest offer: \$300,000

Special damages: \$67,453.37 (past medical bills), \$631,712 (future medical bills), \$200,000 (pain and suffering), \$100,000 (mental anguish), \$300,000 (loss of enjoyment of life and personal impairment), \$25,000 (past and future loss of income and earning power)

Attorney for plaintiff: Mark Bringardner of the Joye Law Firm in North Charleston

Attorney for defendant: Lee Belinsky of the U.S. Attorney's Office in Charleston

Tagged with: MOTOR VEHICLE CRASH

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