

Wrongful Death, Catastrophic Injury, Admiralty, Federal Court, Jury Verdict

Successfully defended a bridge contractor in United States District Court in Fayetteville, North Carolina. The suit was involving the construction of the span bridge across the Intercoastal Waterway to Ocean Isle Beach. A family was traveling in a boat down the Intercoastal Waterway when it struck a power line stretched across the water that was used to provide electrical power to the work area on the bridge. The accident resulted in the deaths of the father and the sixteen-year-old daughter, as well as substantial personal injury to the mother and the two other family members occupying the boat. The case was in admiralty but required a jury due to diversification of citizenship. Additionally, it involved complicated issues of maritime law, including the doctrine of proportional negligence. The issue of punitive damages was submitted to the jury. After a two-week trial, a jury verdict was rendered in favor of the defendant bridge contractor due to the fact that the father, who was operating the boat, left the navigable channel of the waterway.