

## Legislative Report

### Settlements of Litigation for \$75,000 or more, G.S. §114-2.4(b), since April, 2007 Report

Case Name	Date Closed	Settlement Amount	Case Summary
Abernathy, Catherine v. Department of Public Instruction	05/04/2007	\$149,999.00	Workers compensation claim in which a custodian slipped and fell, injuring her rotator cuff. Surgery was required and she could not return to work.
Austin, James v. Department of Health and Human Services	05/15/2007	\$100,000.00	Plaintiff alleged he contracted a sexually transmitted disease as a result of an alleged molestation.
Bailey, Sammy Joe v. North Carolina Department of Justice	03/16/2007	\$750,000.00	Plaintiff suffered serious physical and emotional injuries after being shot by an SBI agent.
Balfour Beatty Construction, Inc. v. North Carolina Department of Transportation	09/12/2007	\$5,100,000.00	Highway Construction Contract Claim; NC Gen. Stat. §136-29
BAMACO v. North Carolina Department of Transportation	08/03/2007	\$225,000.00	Highway Construction Contract Claim, NC Gen. Stat. §136-29
Barbour, Sarah T. v. Department of Public Instruction	04/12/2007	\$149,999.00	Employee, a school bus driver, filed a workers compensation claim when she allegedly stepped on a pencil exiting the bus, fell and injured her right shoulder.
Belangia, Louis v. East Carolina University	05/17/2007	\$237,500.00	Tort Claim against the ECU School of Medicine. Plaintiff's estate alleged that after a car accident ECU improperly diagnosed Plaintiff.
Boyetette, Sue v. Employment Securities Commission	04/12/2007	\$96,250.00	Employee suffered from Carpal Tunnel Syndrome and Trigger Finger.
Britt, Beatrice Ivey v. North Carolina Department of Transportation	05/15/2007	\$100,000.00	Tort Claim filed against DOT. Alleged improper signage caused wrongful death.
Brown, Iris S. V. North Carolina Department of Health and Human Services	04/13/2007	\$90,000.00	A cottage parent at a youth school twisted her back as she was restraining a student.
Brown, Kevin B. v. North Carolina Department of Correction	08/10/2007	\$149,999.00	This was a workers compensation claim filed by a correctional officer who injured his back restraining a prisoner, requiring two surgeries.
Cameron, Sharon S. V. North Carolina Department of Administration	07/13/2007	\$125,000.00	Director of housekeeping services fell and fractured her femur.
Carolina Bridge (on behalf of Long Foundation Drilling Co.) v. North Carolina Department of Transportation	08/01/2007	\$125,000.00	Highway Construction Contract Claim; NC Gen. Stat. §136-29
Carty, Sarah v. Department of Public Instruction	08/06/2007	\$100,000.00	Teachers assistant and bus driver injured her right shoulder, wrist and hand when she slipped and fell.
Cates, Sr., Stephen Henry v. Department of Public Instruction	05/25/2007	\$280,100.14	A vehicle struck a school bus and the driver of the vehicle died.
Chavis, Jr., Jackie S. v. Department of Public Instruction	08/10/2007	\$110,000.00	Workers compensation claim where assistant principal suffered back strain moving books up stairs with a hand cart.

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Chisholm, Evette v. Department of Public Instruction	03/20/2007	\$100,000.00	Workers Compensation Claim where a bus driver was injured in a bus accident. Employee suffered right thumb, shoulder and lumbar injuries.
Cockrell, Nora v. Department of Public Instruction	07/12/2007	\$145,000.00	Workers Compensation claim in which teachers assistant and school bus driver allegedly slipped and fell in the bathroom injuring her right knee.
Coffey, Stephen E. v. North Carolina Department of Transportation	06/29/2007	\$137,500.00	Plaintiff's estate filed this Tort Claim alleging a road defect caused a serious car accident resulting in Plaintiff's death.
Councilman, Kelly v. Department of Crime Control and Public Safety	08/29/2007	\$81,000.00	Workers compensation claim in which a state trooper injured her right shoulder and neck apprehending a suspect.
Curtis, David E. v. Department of Public Instruction	05/31/2007	\$100,000.00	Workers compensation claim where a custodian injured his neck, lower back and wrists when he fell from the back of a truck.
Daughtry, Duncan v. Department of Correction	03/20/2007	\$95,000.00	Superintendent of a prison filed a worker compensation claim when he injured his back helping unload a refrigerator from a truck.
Deter, Beth v. Department of Public Instruction	09/10/2007	\$125,000.00	Workers compensation claim in which a teacher injured her back when she fell over a chair while carrying a child.
Dunnagan, Laura Elizabeth v. North Carolina Department of Transportation	06/29/2007	\$275,000.00	This is a tort claim filed by Plaintiff's estate against DOT. Plaintiff alleges a defect in the road caused a serious car wreck resulting in the Plaintiff's death.
Earley, Gary v. Wildlife Resource Commission	03/20/2007	\$250,000.00	Workers compensation claim where lieutenant injured his lower back lifting a trailer hitch to his vehicle.
Graham, Avalene v. Department of Public Instruction	08/03/2007	\$237,411.65	Workers compensation claim in which a school counselor injured her right hand, wrist, hip and ankle when she slipped in water.
Henderson, Charles v. Department of Public Instruction	04/17/2007	\$92,500.00	This was a workers compensation claim where a custodian was removing ice from school steps when he received a soft tissue injury to his left foot.
House, Jimmy v. Department of Agriculture	06/18/2007	\$145,000.00	This was a workers compensation claim in which a meat inspector rear ended another vehicle while on the job. He fractured his spine in two places.
Huffman, Karol v. Department of Correction	05/22/2007	\$75,000.00	Workers compensation claim in which a correctional officer injured her right knee when she slipped on a waxed floor.
Johnson, Harold v. UNC Asheville	06/19/2007	\$75,208.42	This workers compensation claim was filed by a maintenance employee. He was putting in a handicapped door opener when he strained his back.
Jones, Sandra v. Department of Public Instruction	04/12/2007	\$125,000.00	Workers compensation claim in which a teachers assistant injured her lower back when a child accidentally turned his chair over.

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King, Johanna v. Department of Public Instruction	09/10/2007	\$98,000.00	Teacher filed this workers compensation claim when she injured her right shoulder at school. Two students accidentally ran into her.
Larco Construction Co. v. North Carolina Department of Transportation	08/01/2007	\$130,000.00	Highway Construction Contract Claim; NC Gen. Stat. §136-29
Lester, Kelley v. UNC Healthcare	06/18/2007	\$125,000.00	This is a workers compensation case in which a female employed as a radiology technician was injured when she was assisting a patient.
Mangum, C.C. v. North Carolina Department of Transportation	06/25/2007	\$390,000.00	Highway Construction Contract Claim; NC Gen Stat. §136-29
MAPCO v. North Carolina Department of Transportation	07/01/2007	\$525,000.00	Highway Construction Contract Claim; NC Gen. Stat. §136-29
McManus, Farris v. Department of Public Instruction	03/20/2007	\$100,000.00	This was a Tort Claim arising out of a school bus accident. The bus driver failed to yield and rear-ended Plaintiff's car.
Morton, Jane v. UNC Hospitals	07/13/2007	\$138,000.00	Workers compensation claim. An office worker fell and fractured her left shoulder, requiring five surgeries.
Nello L. Teer Company v. North Carolina Department of Transportation	07/01/2007	\$2,700,000.00	Highway Construction Contract Claim; NC Gen. Stat. §136-29
Nello L. Teer v. North Carolina Department of Transportation	07/27/2007	\$2,600,000.00	Highway Construction Contract Claim, NC Gen. Stat. § 136-29
Papco Group, Inc. v. North Carolina Department of Transportation	08/01/2007	\$195,700.00	Highway construction contract claim; NC Gen. Stat. §136-29
Parrish, Lenora v. Department of Public Instruction	04/27/2007	\$75,000.00	Workers compensation claim where employee was a teachers assistant when she injured her back when a student grabbed her and threw her.
Pollard, James R. v. Department of Public Instruction	08/10/2007	\$140,000.00	Custodian filed a workers compensation claim for back and neck injuries he sustained while removing a scoreboard.
Price, Susan Horton v. North Carolina Department of Transportation	09/04/2007	\$135,000.00	Tort Claim filed against DOT where plaintiff alleges a road defect caused a serious car accident and Plaintiff was permanently disabled from working.
Purvis, Ferolyn v. Department of Public Instruction	03/20/2007	\$85,000.00	Workers compensation claim in which a teachers assistant injured her back when she flipped out of a rolling chair.
Rigsby, Bertha v. Department of Public Instruction	08/10/2007	\$90,000.00	Workers Compensation case in which a bus driver was injured when a student exiting the bus struck employees right shoulder.
SBE & DPI v. Service Roofing, et al.	06/06/2007	\$150,000.00	This is a tort claim where plaintiff was injured when the roof blew off Student Union at Carteret Community College when Hurricane Bonnie passed through in August, 1998.
Smith, Donald R. v. Department of Public Instruction	03/26/2007	\$110,000.00	Workers compensation claim in which a teacher injured his back while moving a 50 pound box of paper.
Snipes, Steven v. State of North Carolina	04/09/2007	\$105,808.21	This was a case of an erroneous conviction. Plaintiff received 20K for each year per Statute.
Spainhour, Dick v. NC Ports Authority	05/15/2007	\$190,000.00	Tort Claim against NC State Ports Authority. Plaintiff alleged that a State employee, while unloading cargo from a truck, struck Plaintiff with a forklift.

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Spell, James v. UNC Healthcare	05/31/2007	\$120,000.00	Surgical technician injured his back while stepping down from a table. After surgery, employee was given a 40% impairment rating.
Warren, Robert v. Department of Agriculture	07/12/2007	\$350,000.00	Workers compensation claim in which a regional agronomist who, through work, was exposed to insecticides.
Weicht, Adam Wesley v. North Carolina Department of Transportation	09/04/2007	\$135,000.00	This was a Tort Claim filed against DOT in which Plaintiff alleges a road defect caused a serious accident leaving Plaintiff totally disabled.
Weicht, Levi v. North Carolina Department of Transportation	09/04/2007	\$200,000.00	This was a Tort claim against DOT in which Plaintiff was injured in a car accident allegedly caused by a defect in the road.
Wiggins, James v. North Carolina Department of Transportation	04/19/2007	\$85,000.00	This was a workers compensation claim filed by a transportation worker. Employee was involved in a head on collision, receiving multiple injuries.
Wright, Robert v. North Carolina Department of Transportation	08/10/2007	\$125,000.00	Workers Compensation case in which a transportation worker injured his neck and his back in an automobile accident.
Wynn, Ella v. Department of Public Instruction	04/12/2007	\$141,000.00	Employee filed a workers compensation claim alleging she injured her left arm, shoulder, neck and back.