

Forrest Ainsworth vs. Seamark Landscaping

Serious injury case – Defense Verdict

Auto/Truck and Trailer: The Defendant was spraying green hydro-mulch on the side of a 50 mph feeder road and the driver of the Defendant's truck was intoxicated at 11:30 in the morning. He had two workers behind the truck holding the hose, one in the inside lane of travel out of three possible lanes. There were no cones or vests or flag men. The Plaintiff, a 71 year old, drove into the back of the trailer killing one worker and injuring himself with \$375,000 in medical bills. The jury found 80% negligence on the Plaintiff and 20% negligence on the Defendant.

Defense Verdict: No recovery based on comparative negligence of the Plaintiff.