

## Legislative Report

### Settlements of Litigation for \$75,000 or more, G.S. §114-2.4(b), since April, 2008 Report

Case Name	Date Closed	Settlement Amount	Case Summary
Alley, Jr., Ralph Lamary v. Department of Transportation	07/15/2008	\$75,000.00	Tort Claim. Negligence claim for failure to maintain highway properly. Plaintiff hydroplaned, wrecked and suffered serious injuries.
Belin, Fonda v. Community College System	05/07/2008	\$100,000.00	Workers' Compensation Claim. Information assistant injured the cervical region of her neck and a ruptured disc due to repetitive motion of moving.
Bobbitt, Thomas E. v. NCSU	06/17/2008	\$133,000.00	Plaintiff appealed his termination as janitor, arguing "just cause" as sole ground at OAH.
Breit, Barry A. v. Department of Transportation	08/25/2008	\$100,000.00	Tort Claim. Mother of three was killed when she hydroplaned on an "abnormal" two-four inches of water standing on the road.
Crosscup, William v. Department of Public Instruction	06/24/2008	\$145,000.00	Workers' Compensation Claim. Low back injury requiring surgery.
Davis, Debra C. v. Department of Health and Human Services	05/29/2008	\$149,999.00	Workers' Compensation Claim. Employee is a licensed nurse practitioner when she injured her back while lifting a patient.
Davis, Jimmy v. Department of Health and Human Services	03/28/2008	\$125,000.00	Tort Claim. Psychiatric patient with history of schizoaffective disorder and bipolar disorder who died in the care and custody of DHHS.
Davis, Terry v. UNC Asheville	05/05/2008	\$100,000.00	Workers' Compensation Claim. Employee injured his low back, legs and body in general when he slipped on ice.
Gibson, Randy v. Department of Correction	05/07/2008	\$100,000.00	Workers' Compensation Claim. Correctional Officer injured his back restraining an inmate. Employee suffered multiple disc herniations and underwent surgery.
Gonzales, Evalyn v. North Carolina State University	05/07/2008	\$150,000.00	Tort Claim. Negligence claim arising out of the intentional misconduct of a professor.
Gregory, Michael v. Army National Guard	06/20/2008	\$150,000.00	Tort Claim. Negligence action. Motor vehicle accident, rollover, resulting in serious injuries.
Howard, Jeffrey L. v. Department of Public Instruction	05/07/2008	\$450,000.00	Tort Claim. School Bus driver pulled in front of Claimants motorcycle. Claimant suffered traumatic injuries including chest trauma and heart swelling.
Jeffries, Martha v. Department of Public Instruction	05/08/2008	\$97,500.00	Workers' Compensation Claim. Employee was a custodian when she injured her back lifting a garbage can.
Jennings, Melissa v. UNC-CH	04/18/2008	\$385,000.00	Discrimination and sexual harassment.
Jordan, Vernetta v. Department of Correction	03/28/2008	\$85,000.00	Workers' Compensation Claim. Correctional Officer was injured when she fell at work, injuring her back.
Koon, Tabitha v. Department of Transportation	07/15/2008	\$105,000.00	Tort Claim. Negligence claim filed against DOT for failure to properly maintain highway. Plaintiff hydro-planed resulting in wreck causing serious injury.

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Martin, Eunice v. Department of Public Instruction	06/24/2008	\$91,666.45	Tort Claim. Bus driver slammed on brakes, bus fish-tailed into ongoing traffic. Plaintiff suffered multiple injuries.
McAdoo, Adriene v. Department of Public Instruction	06/25/2008	\$130,000.00	Workers' Compensation Claim. Teacher's assistant suffered a heart attack while lifting children during a fire drill.
Moyano, Sandra & Herman v. UNC Chapel Hill	06/19/2008	\$475,000.00	Tort Claim. Negligence claim filed for failure to diagnosis breast cancer. Death Claim.
Murphy, Joel M. v. Department of Public Instruction	06/24/2008	\$85,000.00	Tort Claim. School bus struck Plaintiff's car. Plaintiff sustained substantial injuries to his upper back.
North Carolina Department of Health and Human Services	04/17/2008	\$14,556,067.00	Administrative appeal of disallowance of claims for federal financial participation under the Title IV-E Foster Care Program.
Nwanze, Chukwuka v. UNC Hospitals	04/09/2008	\$83,389.60	Workers' Compensation Claim. Employee was a nurses assistant who was injured lifting a patient.
Perkins v. DOJ	06/20/2008	\$117,080.30	Appeal to OAH of termination from employment for just cause.
Perry, Dianne v. Department of Correction	05/29/2008	\$90,000.00	Workers' Compensation Claim. Employee was a correctional officer when she slipped on ice injuring her right hip and knee.
Russell, Lara v. Department of Public Instruction	03/28/2008	\$400,000.00	Tort Claim. 12 year old injured when the school bus she was riding in wrecked. Claimant suffered an acute injury that aggravated her pre-existing condition.
Sanders, Florine v. Department of Correction	07/22/2008	\$80,619.83	Tort Claim. Plaintiff visiting an inmate sustained injuries when she sat in a chair and it broke. Plaintiff sustained injuries to her back.
Sims, Kristen D. v. Department of Public Instruction	06/24/2008	\$350,000.00	Tort Claim. School bus rear-ended Plaintiff's vehicle. Plaintiff sustained back injuries that eventually led to surgery.
Snapp, Joseph v. Army National Guard	06/20/2008	\$150,000.00	Tort Claim. Negligence action. Motor vehicle accident, rollover, resulting in serious injuries.
Stokes, Kim Leigh v. UNC Hospitals	05/07/2008	\$102,876.77	Workers' Compensation Claim. Operating room nurse injured her back while strapping down a patient.
Thaxton, Donnie v. Department of Transportation	06/24/2008	\$111,250.00	Workers' Compensation Claim. Employee was an equipment technician when he injured his back while draining oil from a motor grader.
Theodore, Adrea v. UNC et al.	08/07/2008	\$200,000.00	Wrongful discharge (Discrimination, pregnancy, family leave).
Ward, Jill v. Army National Guard	06/20/2008	\$150,000.00	Tort Claim. Negligence action. Motor vehicle accident, rollover, resulting in serious injuries.

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White, Sadiq Ali v. Department of Public Instruction	06/24/2008	\$149,000.00	Tort Claim. School bus rear-ended car in which Plaintiff was a passenger. Plaintiff sustained major injuries to his lower back and his knees.
Williams, Janella v. Department of Health and Human Services	03/28/2008	\$275,000.00	Tort Claim. Plaintiff, with chronic paranoid schizophrenia, died after became combative and being placed in restraints.
Winstead, Nettie Crawley v. Department of Public Instruction	04/09/2008	\$120,000.00	Workers' Compensation Claim. Employee was injured when she was assisting a handicapped student off a bus when she tripped and fell injuring her left foot.
Wood, Kathy v. North Carolina State University	05/07/2008	\$150,000.00	Tort Claim. Negligence claim arising out of the intentional misconduct of a professor.
Woody, Lawson v. Department of Correction	06/24/2008	\$190,000.00	Workers' Compensation Claim. Employee worked with Department of Correction when he fell on ice and injured his cervical spine, undergoing fusion surgery.
Zachary, Alfred v. UNC Chapel Hill	05/29/2008	\$95,000.00	Workers' Compensation Claim. Employee was an electrical technician, injuring his back when he fell off a six foot ladder.