

## Jury awards \$1.8M in reckless driving case

■ BY BILL CRESENZO

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Rutledge DuRant

A Charleston County jury has awarded \$1.8 million to a woman who was injured after she was hit by a driver who ran a red light.

Rutledge DuRant and Trip Riesen of Riesen DuRant in Charleston said that their client, Melissa Glenney, was driving home from her night shift as a nurse at Medical University of South Carolina in Charleston in 2016 and passing through a downtown intersection when another driver, Leby Robertson, ran a red light and t-boned her car on the driver's side.



Trip Riesen

Glenney went to the emergency room with neck, head, and back pain. Over the course of the next year, doctors recommended epidural steroid injections to relieve her pain, but she wanted to use a more "conservative" approach and underwent physical therapy. That did not relieve the pain, and she opted for the injections to help her bulging discs, but those didn't provide much relief either, DuRant said.

"We showed the jury how her life is different now," DuRant said. "She continues to work, but she has had to make accommodations in her life."

Those accommodations included transferring to another position at the hospital.

"She enjoyed a relatively pain free life before the wreck. The discomfort after the wreck became constant," DuRant said. "She had been kayaking, hiking, dancing, bowling, and working out. All of that ceased."

Her husband testified that she couldn't sleep because of the unbearable pain, and now sleeps in what her teenage son calls "an old man's bed."

"They aren't able to go on the walks like they went on before," DuRant said, "Everything is more difficult."

During the trial the jury heard from a certified life care planner who said that it would cost at least \$800,000 to \$1.1 million over the course of Glenney's life to pay for injections to her cervical and lumbar spine, along with the possibility of one or two fusion surgeries.

DuRant said the defense claimed that Glenney's injuries weren't as bad as she claimed, and that whatever the case, the wreck didn't cause them, but degenerative and pre-existing conditions may have.

The trial lasted a week, and the jury deliberated for two hours before returning its verdict on Feb. 25.

Joe Weston of Weston Craig Anthony in Mount Pleasant represented Robertson. He could not be reached for comment on the verdict.

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### VERDICT REPORT — MOTOR VEHICLE WRECK

**Amount:** \$1,750,000

**Injuries alleged:** Neck and lower back pain from bulging discs

**Case name:** Melissa Glenney v. Leby Robertson

**Court:** Charleston County Circuit Court

**Case No.:** 2018-CP-10-02583

**Judge:** Robert Young

**Date of settlement:** Feb. 25

**Special damages:** \$1.5 million in compensatory damages and \$300,000 in punitive damages

**Insurance carrier:** Allstate

**Attorney for plaintiff:** Rutledge DuRant and Trip Riesen of Riesen DuRant in Charleston

**Attorneys for defendant:** Joe Weston of Weston Craig Anthony in Mount Pleasant