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## Chesterfield jury returns \$1.5M for leg injury

BY SARAH RODRIGUEZ

A Chesterfield County circuit court jury has awarded \$1.5 million to a young man who sustained serious right-leg injuries in a Dinwiddie County car crash.

At the time of the collision, Troy Ingraham, 27, worked as a route salesman for Brown Distributing, a company that delivers beer to local merchants. His job involved regular visits to a number of area clients, as well as a fair amount of physical activity, including repetitive heavy lifting and maneuvering under shelves.

The accident occurred in Dinwiddie County on Aug. 31, 2004. The defendant was behind the wheel of a Ford F350, a truck owned by his employer, Gentry Well Works, Inc. En route to a job site, the driver allegedly turned left on a red light, colliding with Ingraham's 2002 Ford Ranger pick-up.

The cause of the accident was heavily disputed at trial. There was never an offer to settle, according to Richmond attorney John Newby, who tried the case along with his colleagues, Jay Tronfeld

and Elizabeth West.

A Verdict & Settlement Report in the case appears on page 19, and provides the factual detail below.

The defendant denied liability, claiming his traffic signal was green at the time of the crash.

According to the emergency room physician, Ingraham did not recall the accident upon admission to hospital, likely an effect of the pain medication administered to him at the scene.

The combined testimony of an independent witness and a VDOT engineer was the key factor in the plaintiff's argument, said Newby.

The witness had been traveling in the opposite direction of Ingraham, and was stopped at a red light, which had changed from green about 10 seconds before the collision occurred. According to VDOT, the next green light in that particular sequence would have been for the plaintiff's lane of travel.

Testimony from the defendant



NEWBY



TRONFELD



WEST

and others traveling with him did not match statements given to the investigating trooper at the scene of the crash. No other independent witnesses were present.

The defense further argued that Ingraham was contributorily negligent by failing to react when the defendant pulled in front of him.

But according to charts presented at trial, a vehicle moving at a speed of 55 miles per hour would travel 121 feet for one and a half seconds before being able to stop. Images of the right front side damage to the Ingraham's vehicle were also crucial, providing further evidence that he was hit before having time to react.

Ingraham suffered fractures of both his femur and tibial plateau, along with multiple tears to his knee. He underwent four surgeries, followed by long-term physical therapy.

Even after treatment, Ingraham was rated with a 31 percent permanent physical impairment of his right leg. Doctors noted that he would be required to receive a knee replacement some-

time in the future.

While past and future medical bills loomed above \$125,000, the plaintiff's greatest loss stemmed from his significantly decreased earning capacity.

Newby described Ingraham as a hard worker, successful in his job. Prior to the accident, he was earning roughly \$43,500 a year.

Although he was willing to work, the nature of his injuries left him unable to perform the full extent of his duties.

He remained with Brown Distributing for a time after the accident, but according to Newby, his wages dropped to an hourly rate of \$7.50, earning him roughly \$18,000 less per year than his pre-injury pay.

Newby noted that Ingraham is married with a young family to support.

Experts estimated a total loss of future income at \$592,543.20. Newby's team asked for \$1 million, based heavily upon that figure.

The jury deliberated for over two hours before returning its \$1.5 million verdict.



PLAINTIFF'S TRUCK  
AFTER ACCIDENT

**Type of Case:** Personal injury

**Court:** Chesterfield County Circuit Court

**Attorneys:** John Newby, Jay Tronfeld and Elizabeth West, Richmond

**Summary:** Troy Ingraham, a 27-year-old employee of a beer distributor, suffered severe injuries to his right leg in a collision between his pickup truck and a Ford 350 truck at the intersection of U.S. 460 and

state Route 226 in Dinwiddie County. The injuries required four surgeries and extensive physical therapy and left Ingraham with a 31 percent disability in his leg.

A vocational expert estimated that the injury would result in a future loss of earning capacity of almost \$600,000.

The case is on appeal to the Supreme Court of Virginia.