Expert Witness Summary
for
Michael E. Maddox, PhD, CHFP
(10/4/18)

2018

Case: Cribb v. Southeastern Packaging, et al.
Attorney: Noah Abrams
Abrams & Abrams
1526 Glenwood Avenue
Raleigh, NC 27608
Side: Plaintiff
Description: This case involves injuries sustained by the driver of a tractor-trailer when he was struck by large bundles of cardboard he was delivering to a customer. The cardboard bales tumbled out of the back of the trailer when the driver opened the left-side trailer door.
Issues: The human factors issues include the visibility of the cardboard bales after the driver opened the right-side trailer door, the common practice of the driver when opening the trailer doors, the expectation of the driver regarding the stability of the loaded cardboard, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Deaver v. Pickett
Attorney: Ann Ochsner
Whitley Law Firm
3301 Benson Drive
Suite 120
Raleigh, NC 27609
Side: Plaintiff
Description: This case involves injuries sustained by the driver of a passenger car when he struck the front counterweight on a tractor that was driven up to the edge of a rural roadway.
Issues: The human factors issues include the visibility of the tractor and the front counterweight, as well as the visibility of the passenger vehicle, the actions of the tractor driver, the ability of the driver of the passenger vehicle to react to the counterweight, etc.
Status: Case Settled
Testimony: Expert Consulting
**Case:** Katzenberger v. Superior Construction, et al.  
**Attorney:** David Dunlap  
Dunlap, Ravis & Miller  
1400 Marsh Landing Parkway  
Suite 108  
Jacksonville Beach, FL 32250  
**Side:** Plaintiff  
**Description:** This case involves the death of a motorist who drove beneath a dump truck that was stopped in the right travel lane of an unlighted Interstate highway at night.  
**Issues:** The human factors issues include the visibility of the stopped dump truck, the visibility of the oncoming passenger vehicle, the ability of the passenger vehicle driver to perceive and react to the presence of the trailer blocking his lane of travel, etc.  
**Status:** Case Settled  
**Testimony:** Expert Report

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**Case:** Weir v. Coning, et al.  
**Attorney:** Mike Stephenson  
McNeely Stephenson  
2150 Intelliplex Drive  
Suite 100  
Shelbyville, IN 46176  
**Side:** Plaintiff  
**Description:** This case involves the death of a motorist who drove beneath the trailer of a tractor-trailer that was backing into a private driveway on a dark stretch of rural road.  
**Issues:** The human factors issues include the visibility of the effects of disability glare from the tractor-trailer headlights, the violation of the expectations of the driver of the passenger vehicle, the ability of the tractor-trailer driver to see the oncoming vehicle, the ability of the passenger vehicle driver to perceive and react to the presence of the trailer blocking his lane of travel, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

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**Case:** Rotberg v. Rutledge  
**Attorney:** Ann Groninger  
Copeley, Johnson & Groninger  
225 E. Worthington Ave.  
Charlotte, NC 28203  
**Side:** Plaintiff  
**Description:** This case involves the death of a bicycle rider when he was struck from behind by a pickup truck during daylight hours.  
**Issues:** The human factors issues include the visibility of the bicycle rider, the location of the bicycle rider in the travel lane, the ability of the pickup truck driver to see the rider and to take evasive action, distraction on the part of the pickup truck driver due to his extensive use of his mobile phone, etc.  
**Status:** Active  
**Testimony:** Deposition
Expert Witness Summary - Maddox

Case: Jenkins v. Hassell
Attorney: Richard Serpe
    Law Offices of Richard Serpe
    580 East Main Street
    Suite 310
    Norfolk, VA 23510
Side: Plaintiff
Description: This case involves injuries sustained by a guest when she fell on the exterior steps of a private home she was visiting. The stairs were not in compliance to either building codes or design guidelines regarding the uniformity of stair risers.
Issues: The human factors issues include the ability of the pedestrian to perceive the difference in stair riser heights, the likelihood of tripping due to uneven riser heights, the deviation from human factors stair design guidelines, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Stewart v. Arctic Breeze, et al.
Attorney: Michael Rywant
    Rywant, Alvarez, Jones, Russo & Guyton
    4162 Edgewater Drive
    Orlando, FL 32804
Side: Defendant
Description: This case involves the death of a passenger in an Uber vehicle when that vehicle turned left across the path of a service truck owned by a heating and air conditioning company. The service truck had a green light at the intersection.
Issues: The human factors issues include the ability of both drivers to see the other’s vehicles, the gap time available to the turning driver when he began his turn, the ability of the service truck driver to effectively respond to the turning vehicle, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Chackman v. Chabad Outreach Center
Attorney: David Baron
    Baron & Herskowitz
    900 S. Dadeland, Blvd.
    Suite 1704
    Miami, FL 33156
Side: Plaintiff
Description: This case involves a rear-end collision that occurred when an individual pulled out of a parking lot onto an urban roadway while talking on her cell phone. An oncoming driver crashed into the rear of the exiting vehicle after trying to take evasive actions.
Issues: The human factors issues include the ability of both drivers to see the other’s vehicles, the gap time available to the exiting driver when she entered the roadway, the distraction posed by the exiting driver talking on her Bluetooth cell phone, the experience and expectations of both drivers, etc.
Status: Case Completed
Testimony: Deposition and Trial
Case: McCall v. Elliott Transport
Attorney: Susan Hofer
   Cranfill, Sumner & Hartzog
   2907 Providence Road
   Suite 200
   Charlotte, NC 28211
Side: Defendant
Description: This case involves the death of a truck stop worker when he was run over by a tractor-trailer while he was walking across the tarmac of the truck stop.
Issues: The human factors issue I was asked to address was the visibility of the worker and the tractor-trailer, the behavior of both the truck driver (who was completely unaware that the worker had been struck) and the truck stop worker, etc.
Status: Case Settled
Testimony: Expert Consulting
2017

Case: Weir v. Coning and Landstar
Attorney: Mike Stephenson
    McNeely Stephenson
    2150 Intelliplex Drive
    Suite 100
    Shelbyville, IN 46176
Side: Plaintiff
Description: This case involves the death of a passenger vehicle driver after he drove under a trailer that was backing into a private driveway on a dark rural roadway.
Issues: The human factors issues include the visibility of the trailer, the role of disability glare in the inability of the passenger vehicle driver to see and avoid the trailer that was blocking his lane of travel, the ability of the tractor-trailer driver to see the oncoming passenger vehicle, the responses and actions of the passenger vehicle driver, etc.
Status: Active
Testimony: Deposition

Attorney: David Duke
    Young, Moore & Henderson
    3101 Glenwood Avenue
    Suite 200
    Raleigh, NC 27612
Side: Defendant
Description: This case involves the death of a Samaritan who stopped to assist another motorist who had stopped on the shoulder of an Interstate highway at night. The person was struck and killed by a small commercial van.
Issues: The human factors issues include the visibility of the Samaritan, the stopped vehicles, and the oncoming commercial van, the situation awareness of the driver of the disabled vehicle and the Samaritan, the ability of the commercial van driver to effectively see and avoid the pedestrian in the roadway, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Portillo v. Lesna Construction
Attorney: Kevin Liles
    Liles White
    800 N. Water St., Suite 800
    Corpus Christi, TX 784011
Side: Plaintiff
Description: This case involves the death of a truck driver who struck a mobile attenuator truck while driving on an Interstate highway. His tractor-trailer flipped and the tractor caught on fire.
Issues: The human factors issue I was asked to address was the behavior of the attenuator truck driver, the visibility of both the attenuator truck and the tractor-trailer that struck it, the ability of the tractor-trailer driver to react effectively to the presence of the attenuator truck in a travel lane, etc.
Status: Active
Testimony: Deposition
Attorney: Graham Newman
Chappell, Smith & Arden
2801 Devine Street, Suite 300
Columbia, SC 29211
Side: Plaintiff
Description: This case involves the death of a worker when he was crushed between a refuse container that he was emptying into a refuse truck and the fenced enclosure in which the refuse container was located.
Issues: The human factors issue I was asked to address was the foreseeability of the operator of the refuse truck operating the packer blade while the refuse container was elevated in the “dump” position.
Status: Active
Testimony: Deposition

Attorney: Matt Fleishman
Rosensteel Fleishman
122 N. McDowell Street
Charlotte, NC 28204
Side: Plaintiff
Description: This case involves the death of a passenger vehicle driver when he was struck by a flatbed trailer being backed through stopped traffic into his lane of travel.
Issues: The human factors issues include the visibility of the trailer, the visibility of the passenger vehicle, other visual cues available to the passenger vehicle driver, the available perception-reaction time for the driver of the passenger vehicle, etc..
Status: Case Settled
Testimony: Deposition

Case: Shipowick and Fortune v. Werner Enterprises
Attorney: Jay Vaughn
Morgan & Morgan
420 W. Liberty Street
Suite 260
Louisville, KY 40202
Side: Plaintiff
Description: This case involves the death of a passenger in a private vehicle when that vehicle struck a slow-moving tractor-trailer traveling in the right-hand travel lane of an Interstate highway.
Issues: The human factors issues include the visibility of the trailer, the visibility of the passenger vehicle, other visual cues available to the passenger vehicle driver, the available perception-reaction time for the driver of the passenger vehicle, etc..
Status: Case Settled
Testimony: Expert Consulting
Expert Witness Summary - Maddox

Case: Madden v. Trans Carriers, et al.
Attorney: Chris Glover
    Beasley Allen
    218 Commerce Street
    Montgomery, AL 36104
Side: Plaintiff
Description: This case involves injuries sustained by the driver of a passenger vehicle when she struck the rear of a slow-moving tractor trailer in the right travel lane of a 4-lane divided highway at night. The tractor trailer had just entered the travel lane from the shoulder of the highway on which he had stopped.
Issues: The human factors issues include the visibility of the tractor trailer and the passenger vehicle, the perception on the part of the driver of the passenger vehicle that the tractor trailer was moving slowly, the reaction of the passenger vehicle driver to the hazard posed by the tractor trailer, perception-reaction time available to the driver of the passenger vehicle, etc.
Status: Case Settled
Testimony: Deposition

Case: Justice v. Greyhound
Attorney: Brian Beverly
    Young, Moore, & Henderson
    3101 Glenwood Avenue
    Suite 200
    Raleigh, BNC 27612
Side: Plaintiff
Description: This case involves injuries sustained by a State Trooper when his vehicle, which was stopped in a travel lane of an Interstate Highway, was struck in the rear by a Greyhound bus. The crash happened during daylight hours, but it was raining at the time.
Issues: The human factors issues include the visibility of the trooper’s vehicle, the perception on the part of the bus driver that the trooper’s vehicle was stopped, the reaction of the bus driver to the hazard posed by the trooper’s vehicle, fatigue, perception-reaction time, etc..
Status: Active
Testimony: Deposition

Case: Everett v. FDB and Duke Energy
Attorney: Don Strickland
    Twiggs, Strickland & Rabeneau
    4309 Emperor Blvd
    Suite 410
    Durham, NC 27703
Side: Plaintiff
Description: This case involves the death of a camp counselor who was electrocuted and killed when the mast of the sailboat he was removing from the camp lake struck overhead utility lines.
Issues: The human factors issues include the training of the camp counselor with respect to the presence and danger of the power lines, the policy of the camp with respect to removing sailboats for transport, the visibility of the power lines, the effects of the lack of a warning sign, and the latent hazard posed by the power lines near a boat ramp.
Status: Case Suspended – Summary judgement on appeal
Testimony: Deposition
Expert Witness Summary - Maddox

Case: Harris v. Uber, et al.
Attorney: Matt Garmon
   Morris Haynes
   3500 Colonnade Parkway
   Suite 100
   Birmingham, AL 35243
Side: Plaintiff
Description: This case involves injuries incurred by a motorist she was struck by an Uber driver while standing next to her car in her driveway. The Uber driver claims to have fallen asleep after working for more than 24 hours.
Issues: The human factors issues include the effects of fatigue on the ability of drivers to safely operate their vehicles, the ability of individuals to recognize the magnitude of their own fatigue, the effects of incentives to continue working without adequate rest breaks, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Price v. Jones
Attorney: Hugh McAngus
   Chappel, Smith & Arden
   2801 Devine Street
   Suite 300
   Columbia, SC 29211
Side: Plaintiff
Description: This case involves injuries incurred by a motorist when he crashed into the back of a logging truck that had pulled out of a driveway onto a 2-lane rural road and was traveling slowly.
Issues: The human factors issues include the visibility of the logging truck to the driver of the passenger vehicle and vice versa, the decision by the driver of the logging truck to pull out with a certain gap in oncoming traffic, the ability of the driver of the passenger vehicle to perceive the slow speed of the logging truck, the ability of the driver of the passenger vehicle to take effective evasive action, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Culclager v. General Motors
Attorney: Alex Gillen
   Newsome Melton
   201 South Orange Avenue
   Suite 1500
   Orlando, FL 32801
Side: Plaintiff
Description: This case involves the death of several individuals after their disabled passenger vehicle was struck in the rear by a tractor-trailer on an Interstate bridge.
Issues: The human factors issues include the expectation of the driver of the passenger vehicle with regard to the disabling incident and the ability of the driver of the passenger vehicle to steer the vehicle to an emergency lane after losing motive power.
Status: Case Settled
Testimony: Expert Report
Expert Witness Summary - Maddox

**Case:** Greenidge v. WAP Trucking, et al.  
**Attorney:** Noah Abrams  
1526 Glenwood Avenue  
Raleigh, NC 27608  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by the driver of a passenger vehicle when she struck the side of a tractor-trailer that was backing into a parking lot on a two-lane highway at night.  
**Issues:** The human factors issues include the visibility of the tractor-trailer, the effects of disability glare on the automobile driver's ability to see the trailer that was blocking her travel lane, the visibility of the conspicuity tape on the side of the trailer, the ability of the tractor-trailer driver to see the oncoming passenger vehicle before he started his backing maneuver, the ability of the passenger vehicle driver to take effective evasive action, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Graves v. Childress  
**Attorney:** Tod Eikner  
Eikner & Eikner  
Metrosouth Executive Park  
3744 Dupont Station Court South  
Jacksonville, FL 32217  
**Side:** Defendant  
**Description:** This case involves injuries incurred by a pedestrian when struck by a passenger vehicle while walking in a roadway during hours of darkness.  
**Issues:** The human factors issues include the visibility of the pedestrian and the oncoming vehicle, the ability of both the pedestrian and the vehicle driver to take evasive actions to avoid the crash, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consulting

**Case:** Blain v. Mears Destination Services  
**Attorney:** Walter Ketcham  
Grower & Ketcham  
901 N. Lake Destiny Road  
Suite 450  
Orlando, FL 32751  
**Side:** Defendant  
**Description:** This case involves the death of a motorist whose stopped vehicle was struck from behind by a bus transporting tourists near Disney World.  
**Issues:** The human factors issues include the visibility of the stopped vehicle, the ability of the bus driver to perceive that the vehicle in the road ahead was, in fact, stopped, the ability of the bus driver to effectively respond to the stopped vehicle, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consulting
2016

**Case:** Williams v. Wilest and Cypress  
**Attorney:** David Lail  
Yarborough Applegate  
291 East Bay Street  
Floor 2  
Charleston, SC 29401  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by the driver of a passenger vehicle when he struck the rear of a tractor-trailer that was making a U-turn through the median of a 4-lane, high-speed roadway.  
**Issues:** The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the decision of the truck driver to slow down and make a U-turn, the behavior of the driver of the passenger vehicle, perception-reaction time, etc.  
**Status:** Active  
**Testimony:** Deposition

**Case:** Paige v. Gantt Trucking  
**Attorney:** Hugh McAngus  
Chappell, Smith & Arden  
2801 Devine Street, Suite 300  
Columbia, SC 29211  
**Side:** Plaintiff  
**Description:** This case involves the death of the driver of a passenger vehicle when he struck the rear of a tractor-trailer stopped in the high-speed travel lane of an Interstate Highway.  
**Issues:** The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the decision of the truck driver to stop in a travel lane, the behavior of the driver of the passenger vehicle, perception-reaction time, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Simmons v. Pilcher, et al.  
**Attorney:** Bruce Daughtry  
O'Malley Tunstall  
405 North Main Street  
Tarboro, NC 27886  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by a motorist who struck a flatbed trailer pulled by a truck as the truck exited a shopping area onto a 4-lane urban roadway.  
**Issues:** The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the decision of the truck driver to begin his turning maneuver, the behavior of the driver of the passenger vehicle, perception-reaction time, gap acceptance, etc.  
**Status:** Active  
**Testimony:** Deposition
Case: Jones v. Eastgroup
Attorney: Steve Barnes
   Barnes Trial Group
   505 S. Magnolia Avenue
   Tampa, FL
Side: Plaintiff
Description: This case involves injuries incurred by an employee of an HVAC company when he fell through a skylight on the roof of a commercial building.
Issues: The human factors issues include the visibility of the skylight, the effect of directed attention on situation awareness, the effect of benign experience on the subjective estimation of risk, the effectiveness of warnings, etc.
Status: Case Settled
Testimony: Deposition

Case: Yeager v. Summit Hospitality Group
Attorney: Michael Maurer
   Law Office Of Michael D. Maurer
   1511 Sunday Drive
   Suite 302
   Raleigh, NC 27607
Side: Plaintiff
Description: This case involves injuries incurred by an elderly female when she tripped over the raised edge of a sidewalk while returning to her vehicle in the parking lot of a hotel.
Issues: The human factors issues include the visibility of the raised edge, the tripping hazard presented by the raised edge, typical glance patterns for pedestrians, etc.
Status: Case Settled
Testimony: Expert Report

Case: Britt v. IFlow
Attorney: Labarron Boone
   218 Commerce Street
   Montgomery, AL 36104
Side: Plaintiff
Description: This case involves the death of an elderly driver when she drove under a trailer that was stopped and blocking both westbound travel lanes of a 4-lane divided highway. The crash occurred near the end of civil twilight
Issues: The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the ability of the motorist to perceive that the truck was stopped across both lanes of travel, the behavior of the drivers of the truck and automobile, the time available for the automobile driver to take evasive action, etc.
Status: Case Settled
Testimony: Deposition
Case: Kaminik v. Occes and Werner Enterprises
Attorney: Alan Brady
Brady and Witters
608 S.E. 6th Street
Suite 7
Fort Lauderdale, FL 33301
Side: Plaintiff
Description: This case involves injuries sustained by a motorist who struck a tractor-trailer that turned across his path while accessing an Interstate entry ramp. The crash occurred at night.
Issues: The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the ability of the motorist to perceive that the truck was crossing his lane of travel, the behavior of the drivers of the truck and automobile, the time available for the automobile driver to take evasive action, etc.
Status: Trial Complete
Testimony: Deposition and Trial

Case: Marquez v. Lynch, et al.
Attorney: Tim McHale
The Lassiter Law Firm
3120 Southwest Freeway
Suite 650
Houston, TX 77098
Side: Plaintiff
Description: This case involves the death of a motorist who struck the rear of a flatbed truck that was stopped in a travel lane of multi-lane, high-speed highway at night.
Issues: The human factors issues include the visibility of the truck, the ability of the motorist to perceive that the truck was stopped or moving slowly, the behavior of the drivers of the truck and automobile, the time available for the automobile driver to take evasive action, etc.
Status: Case Settled
Testimony: Expert Report

Case: Painter v. Murray and C&J Auto
Attorney: Don Strickland
Twiggs, Strickland & Rabenau
4309 Emperor Blvd
Suite 410
Durham, NC 27703
Side: Plaintiff
Description: This case involves the death of an automobile driver who crashed into the back of a large roll-on trailer that was either stopped or moving very slowly in the right travel lane of a four-lane highway.
Issues: The human factors issues include the visibility of the trailer, the ability of the motorist to perceive that the trailer was stopped or moving slowly, the behavior of the drivers of the tractor-trailer and automobile, the time available for the automobile driver to take evasive action, etc.
Status: Case Settled
Testimony: Expert Report
Expert Witness Summary - Maddox

**Case:** Stanley v. 12th Street Commercial Bank  
**Attorney:** John Newby  
Tronfeld, West & Durrett  
4020 W. Broad Street  
Richmond, VA 23230  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by a pedestrian when she fell while exiting a commercial building. The building is in an historic area with brick sidewalks. The exit vestibule of the building was paved with brick and included a short step down to the sidewalk.  
**Issues:** The human factors issues include the visibility of the edge of the step down to the sidewalk, the optical illusion formed by the brick walking surfaces of the vestibule and the sidewalk, the significant difference in illumination between the inside and outside of the exit vestibule, the tripping mechanism, typical glance patterns of pedestrians, etc.  
**Status:** Active  
**Testimony:** Deposition

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**Case:** Lofton, et al., v. Beasley, et al.  
**Attorney:** Monte Tynes  
Tynes Law Firm  
525 Krebs Avenue  
Pascagoula, MS  
**Side:** Plaintiff  
**Description:** This case involves the death of a motorist as a result of a collision between his vehicle and a tractor-trailer. The motorist was pulling out of a convenience store and was struck by an oncoming tractor-trailer. The crash occurred at night.  
**Issues:** The human factors issues include the visibility of the oncoming tractor-trailer and the passenger vehicle, the behavior of both drivers, the ability of the tractor-trailer driver to take evasive action, etc.  
**Status:** Active  
**Testimony:** Expert Report

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**Case:** Anderson v. Merchants  
**Attorney:** David Hall  
Baker Donelson  
1400 Wells Fargo Tower  
420 20th Street North  
Birmingham, AL 35203  
**Side:** Defendant  
**Description:** This case involves injuries incurred by a dump truck driver when his vehicle was struck from behind by a tractor-trailer. At the time of the crash, the dump truck was following a backhoe that was moving slowly in the travel lane of a four-lane, high-speed highway. The crash occurred during daylight hours.  
**Issues:** The human factors issues include the visibility of the dump truck, the behavior of the drivers of both vehicles, the ability of the driver of the tractor-trailer to detect the presence of the dump truck and to determine that it was moving slowly, the ability of the driver of the tractor-trailer to take effective evasive action, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consultation

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Case: Brasher v. Grassworks  
Attorney: Bo Bruner  
   Belt Law Firm  
   2204 Lakeshore Drive  
   Suite 114  
   Birmingham, AL 35209  
Side: Plaintiff  
Description: This case involves injuries incurred by a motorist who struck a farm truck that was traveling very slowly in the travel lane of a two-lane rural highway. The truck was loaded with hay and was preparing to make a right-hand turn into a private driveway. The incident happened during hours of darkness and the truck had no functioning taillights.  
Issues: The human factors issues include the visibility of the farm truck, the behavior of the drivers of both vehicles, the ability of the driver of the passenger vehicle to detect the presence of the farm truck and to determine that the tractor was occupying his travel lane, the ability of the driver of the passenger vehicle to take effective evasive action, etc.  
Status: Case Settled  
Testimony: Deposition

Case: Crawford v. Schwingler  
Attorney: Joe White  
   White & Weddle  
   630 Northeast 63rd Street  
   Oklahoma City, OK 73105  
Side: Defendant  
Description: This case involves injuries incurred by a motorist who was towing a flatbed trailer with a pickup truck. He was hauling an old farm tractor on the trailer and was driving a pickup truck. The pickup truck and trailer was traveling slowly in the right lane of an Interstate highway and was struck from behind by a tractor-trailer.  
Issues: The human factors issues include the visibility of the pickup truck and trailer, the hazard posed by the slow-moving vehicle(s), the ability of the tractor-trailer driver to perceive the fact that the pickup truck and trailer were moving very slowly, the actions of the drivers of the pickup truck and the tractor-trailer, etc.  
Status: Case Settled  
Testimony: Expert Report

Attorney: Jeanmarie Whalen  
   Domnick, Cunningham & Whalen  
   2401 PGA Boulevard  
   Suite 140  
   Palm Beach Gardens, FL 33410  
Side: Plaintiff  
Description: This case involves injuries incurred by a motorist who struck a tractor-trailer that pulled out of a truck yard, turned left, and briefly occupied the oncoming lane of travel. The incident happened during hours of darkness.  
Issues: The human factors issues include the visibility of the passenger vehicle and the tractor-trailer, the behavior of the drivers of both vehicles, the ability of the driver of the passenger vehicle to determine that the tractor was occupying his travel lane, the ability of the driver of the passenger vehicle to take effective evasive action, etc.  
Status: Trial Complete  
Testimony: Deposition and Trial
Case: Reilly v. Steel Fab Enterprises, et al.
Attorney: Tom Hall
Atlee Hall
415 North Duke Street
Lancaster, PA 17603
Side: Plaintiff
Description: This case involves injuries incurred by a motorist who struck a tractor-trailer that turned left across her lane of travel at a signalized intersection at which she had the right of way. The incident happened during hours of darkness.
Issues: The human factors issues include the visibility of the passenger vehicle and the tractor-trailer, the behavior of the drivers of both vehicles, the ability of the driver of the passenger vehicle to determine what type of vehicle was turning in front of her, the ability of the driver of the passenger vehicle to take effective evasive action, etc.
Status: Case Settled
Testimony: Expert Reports

Case: Ho v. The Heil Company
Attorney: Nathan Carter
Colling, Gilbert, Wright & Carter
801 North Orange Avenue
Suite 830
Orlando, FL 32801
Side: Plaintiff
Description: This case involves injuries incurred by a sanitation worker when he was crushed in the closing tailgate of a sanitation truck during a routine cleanout task.
Issues: The human factors issues include the design of the user interface between the truck and the operator, the ability of the worker to perceive that the tailgate of the truck was closing while he was in a vulnerable position, the presence or absence of safety features on the truck that would have alerted the worker and the driver to the presence of the worker in the tailgate area, the procedure being used at the time of the incident, the adequacy of the operating manual for the sanitation truck, etc.
Status: Case Settled
Testimony: Deposition

Case: Fulp v. Tilley
Attorney: Vance Barron
Barron & Berry
301 S. Greene Street
Suite 310
Greensboro, NC 27401
Side: Plaintiff
Description: This case involves the death of a bicycle rider who struck the front of a passenger vehicle that turned left in front of him at night.
Issues: The human factors issues include the visibility of the passenger vehicle and the bicycle, the behavior of the drivers of both vehicles, the ability of the driver of the passenger vehicle to determine that the bicycle was approaching him, the ability of the bicycle rider to take effective evasive action, the ability of the passenger vehicle driver to stop his turn maneuver, etc.
Status: Case Settled
Testimony: Deposition
Expert Witness Summary - Maddox

Attorney: John Chilson
    Comerford & Britt
    250 West First Street
    Suite 200
    Winston-Salem, NC 27101
Side: Plaintiff
Description: This case involves injuries sustained by the driver of a motorcycle when he slid beneath a tractor-trailer that had pulled out of an intersection and turned left across his lane of travel.
Issues: The human factors issues include the visibility of the motorcycle and the tractor-trailer, the behavior of the drivers of both vehicles, the ability of the tractor-trailer driver to determine that the motorcycle was present, the ability of the motorcycle driver to take effective evasive action, the ability of the tractor-trailer driver to stop his turning maneuver, etc.
Status: Trial Complete
Testimony: Deposition and Trial

Case: Edmundson v. Heywards and Triple C Carriers
Attorney: David Senter
    Young, Moore & Henderson
    3101 Glenwood Avenue
    Suite 200
    Raleigh, NC 27612
Side: Defendant
Description: This case involves injuries sustained by the driver of a passenger car that was struck from behind by a tractor-trailer. The passenger vehicle was traveling slowly in the right lane of an Interstate highway at night.
Issues: The human factors issues include the visibility of the passenger vehicle and the tractor-trailer, the behavior of the drivers of both vehicles, the ability of the tractor-trailer driver to determine that the passenger vehicle was traveling much more slowly than the prevailing speed limit, the ability of the tractor-trailer driver to take effective evasive action, the ability of the passenger vehicle driver to move out of the travel lane, etc.
Status: Case Settled
Testimony: Expert Report

Case: Cox v. Quick Mart
Attorney: Justin Studstill
    Studstill Law Firm
    311 North Patterson Street
    Suite A
    Valdosta, GA 31601
Side: Plaintiff
Description: This case involves injuries sustained by a patron in a convenience store when she tripped over a case go merchandise left in an aisle way.
Issues: The human factors issues include the ability of the customer to see the merchandise in the aisle, the typical tripping mechanism for pedestrians, typical glance patterns and expectations of pedestrians, the extent to which the merchandise comprised a tripping hazard, the extent to which the merchandise in the aisle violated applicable safe walking surface standards, etc.
Status: Case Settled
Testimony: Expert Consulting
Case: Mowatt v. Marshall’s
Attorney: Larry Herscher
Herscher & Herscher
1550 Madruga Avenue
Suite 120
Coral Gables, FL 33146
Side: Plaintiff
Description: This case involves injuries sustained by a customer while walking near the luggage section at a Marshall’s department store. The luggage was stored on low shelves (actually tables on the floor) and the customer tripped on a corner of one of the shelves.
Issues: The human factors issues include the ability of the customer to see the low tables, the typical tripping mechanism for pedestrians, typical glance patterns and expectations of pedestrians, the extent to which the merchandise tables comprised a tripping hazard, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Keller v. Sheetz
Attorney: Mike Adkins
Klutz-Reamer
129 North Main Street
Salisbury, NC 28144
Side: Plaintiff
Description: This case involves injuries sustained by a patron of a Sheetz convenience store when she tripped over a wheel stop on the way into the store from the parking/gas area.
Issues: The human factors issues include the ability of the motorist to see the wheel stop once as she exited her car, the typical tripping mechanism for pedestrians, the extent to which the wheel stop comprised a tripping hazard, the visual contrast of the wheel block and the pavement, the extent to which the parking space complied with ADA Accessibility Guidelines, etc.
Status: Case Settled
Testimony: Expert Consulting

Attorney: Kera Hagan
Anderson, Mayfield, Hagan & Thron
560 Village Boulevard
Suite 150
West Palm Beach, FL 33409
Side: Defendant
Description: This case involves injuries sustained by a pedestrian when a tractor-trailer tore a large limb from a tree that was in the median of a four-lane residential roadway. The limb hit the pedestrian, who was standing in the median while crossing the street.
Issues: The human factors issues include the ability of the tractor-trailer driver to see the overhanging limb and realize it was low enough to be struck by his trailer, the actions of the tractor-trailer driver after he struck the limb, the ability of the pedestrian to move out of the way of the limb that struck her, etc.
Status: Case Settled
Testimony: Expert Consulting
Attorney: Greg Utter
Keating, Muething & Klekamp
One East Fourth Street
Suite 1400
Cincinnati, OH 45202
Side: Plaintiff
Description: This case involves the death of a motorcycle driver after he struck delivery vehicle that turned left in front of him.
Issues: The human factors issues include the visibility of the motorcycle, the actions of the delivery truck driver, the ability of the motorcycle driver to react to the delivery truck turning in front of him, etc.
Status: Case Settled
Testimony: Expert Consulting

Attorney: Jim Hada
Sico, White, Hoelscher, Harris & Braugh
Three Riverway
Suite 1910
Houston, TX 77056
Side: Plaintiff
Description: This case involves the death of a passenger in a vehicle that struck the underside of an overturned tractor-trailer at night and was then subsequently struck by another tractor-trailer.
Issues: The human factors issues include the visibility of the overturned tractor-trailer and the disabled passenger vehicle, the ability of the driver of the passenger vehicle to avoid striking the overturned tractor-trailer, the ability of the driver of the second tractor-trailer to avoid striking the disabled passenger vehicle, the effect of fatigue on the ability of a tractor-trailer driver to safely operate his or her vehicle, etc.
Status: Case Settled
Testimony: Expert Report

Attorney: Eric Gressman
Miami Dade County Attorney’s Office
111 NW 1st Street
Suite 2810
Miami, FL 33128
Side: Defendant
Description: This case involves the death of a dockworker who was severely injured when his leg was run over by a top loader that was moving cargo containers around the dock at the Port of Miami. This incident occurred at night.
Issues: The human factors issues include the illumination levels in the vicinity of the incident, the ability of the dockworker to see the top loader, the ability of the top loader driver to see the pedestrians around his vehicle, etc.
Status: Case Settled
Testimony: Expert Consulting
Case: Gaskins v. Mitchell
Attorney: Robert Lee
           Robert E. Lee, Attorney at Law
           111 Witcover Street
           Marion, SC 29571
Side: Plaintiff
Description: This case involves the death of a motorcycle driver after he struck a stopped tractor-trailer in his travel lane on a rural highway at night.
Issues: The human factors issues include the visibility of the tractor-trailer and the motorcycle, the ability of the motorcycle driver to perceive that the truck was stopped, the time available to the motorcycle driver to take evasive action to avoid the crash, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Devoe v. Lovett
Attorney: Bill Stone
           Saalfield Shad
           245 Riverside Drive
           Suite 400
           Jacksonville, FL 32202
Side: Defendant
Description: This case involves injuries sustained by a pedestrian crossing a four-lane highway with a concrete divider. A car driven by defendants struck the pedestrian. The incident occurred at night.
Issues: The human factors issues include the visibility of the pedestrian and the oncoming car, the expectations of the driver of the automobile, the amount of time the driver of the automobile had to react to the pedestrian, etc.
Status: Case Settled
Testimony: Expert Consulting

Case: Denton v. Clark
Attorney: Jeff Scott
           Law Offices of Jeff Scott
           1309 Harding Place
           Charlotte, NC 28204
Side: Plaintiff
Description: This case involves injuries sustained by the driver of a passenger vehicle when he struck a horse that was standing in the travel lane of a rural roadway during morning twilight. The horse intruded into the passenger compartment rendering the driver unconscious. The vehicle then struck a power pole on the side of the road.
Issues: The human factors issues include the visibility of the horse against the background, the illumination in the area of the crash, the actions of the driver in trying to avoid the horse, etc.
Status: Case Settled
Testimony: Expert Consulting
**Case:** Estate of Tapia v. Hucks, et al.
**Attorney:** Brian Hochman  
Butler, Quinn & Hochman  
4801 Independence Blvd.  
Suite 700  
Charlotte, NC 28212
**Side:** Plaintiff
**Description:** This case involves the death of a motorist when her vehicle was struck from behind by a tractor-trailer. Her passenger vehicle was stopped in a travel lane of an Interstate highway when she was struck.
**Issues:** The human factors issues include the visibility of the stopped vehicle, the ability of the tractor-trailer driver to perceive that the passenger vehicle was stopped, the actions taken by the tractor-trailer driver to avoid the crash, etc.
**Status:** Case Settled
**Testimony:** Expert Consulting

**Case:** Sotelo v. N-Line Management  
**Attorney:** Colleen Clark  
The Clark Firm  
2911 Turtle Creek Blvd.  
Suite 1400  
Dallas, TX 75219
**Side:** Plaintiff
**Description:** This case involves the death of a motorcycle driver who struck the rear of a passenger vehicle that was at the end of a line of cars stopped for road construction. The crash occurred on an Interstate highway on which two of the four northbound lanes were shut down using cones or barrels. The crash occurred at night.
**Issues:** The human factors issues include the expectations of the motorcycle driver, the warnings posted by the company responsible for closing the lanes of travel, the ability of the motorcycle driver to perceive that the vehicle he struck was, in fact, stopped, the available perception-reaction time of the motorcycle driver, etc.
**Status:** Case Settled
**Testimony:** Deposition

**Case:** Collins v. Komatsu America  
**Attorney:** John Adkins  
Johnson & Ward  
2100 The Equitable Building  
100 Peachtree Street, N.W.  
Atlanta, GA 30303
**Side:** Plaintiff
**Description:** This case involves the death of a skid steer loader operator when he was trapped between the bucket and body of the vehicle while attempting to clear debris from the bucket. Two interlocks failed on the skid steer loader.
**Issues:** The human factors issues include the dependence of operators on functioning interlocks, the design of the user interface between the interlocks and the machine operator, and the typical usage patterns for skid steer loader operators, etc.
**Status:** Active
**Testimony:** Deposition
Case: Gibbs v. Shiver and L&J Transportation
Attorney: Rip Andrews
    Marsh, Rickard & Bryan
    800 Shades Creek Parkway
    Suite 600-D
    Birmingham, AL 35209
Side: Plaintiff
Description: This case involves the death of an infant and injuries to the driver of a passenger vehicle that struck the trailer section of a tractor-trailer that turned left from a side road and blocked her lane of travel. The crash occurred at night.
Issues: The human factors issues include the visibility of the tractor-trailer and of the passenger vehicle, the violation of gap acceptance standards by the truck driver, the reactions of the driver of the passenger vehicle, etc.
Status: Case Settled
Testimony: Deposition

Case: Hendricks v. Millwood
Attorney: Robert Green
    Law Offices of Robert F. Green & Associates
    501 S. New York Avenue
    Suite 230
    Winter Park, FL 32789
Side: Plaintiff
Description: This case involves injuries sustained by a motorcycle driver when a car traveling in the same direction as he slowed, pulled to the right, and then attempted a U-turn. The motorcyclist struck the front left of the automobile as he attempted to pass on the left. The crash happened when it was dark.
Issues: The human factors issues include the visibility of the motorcycle and the automobile, the expectations of both drivers, the likelihood that the motorcycle driver perceived the intentions of the automobile driver, etc.
Status: Active
Testimony: Deposition

Case: Corbett v. Scruggs Concrete, et al.
Attorney: Haynes Studstill
    Studstill Law Firm
    311 North Patterson Street
    Suite A
    Valdosta, GA 31601
Side: Plaintiff
Description: This case involves the death of a driver who drove beneath a dump T-T that was blocking both lanes of a rural 2-lane roadway while turning around. It was dark and there was fog at the time.
Issues: The human factors issues include the visibility of the dump truck, the actions of the dump truck driver, the ability of the oncoming driver to evade the dump truck, etc.
Status: Case Withdrawn
Testimony: Expert Consulting
Case: Pender v. Florida East Coast Railroad (FEC)
Attorney: Eric Leach
    Milton, Leach, Whitman, D’Andrea & Esslinger
    815 S. Main Street
    Suite 200
    Jacksonville, FL 32207
Side: Plaintiff
Description: This case involves the death of a pedestrian who was struck by a train as he walked across an active track in a location that was not a grade crossing. The pedestrian was 17 years old and was wearing ear buds at the time of the incident.
Issues: The human factors issues include the visibility of the pedestrian and the train, the ability of the pedestrian to hear the train whistle, the walking speed of the pedestrian, the timeliness of actions by the locomotive crew, and potential reasons why the pedestrian did not react to the presence of the oncoming train.
Status: Active
Testimony: Deposition

Case: Estate of Williams v. C.R. England
Attorney: David Duke
    Young Moore and Henderson
    3101 Glenwood Avenue
    Suite 200
    Raleigh, NC 27612
Side: Defendant
Description: This case involves the death of a Good Samaritan while assisting a truck driver who had spun in the snow on an unplowed lane of an Interstate highway. A drunk driver who failed to slow down when passing the site of the spinout incident, which has been cleared by the time of the subsequent crash, struck the Samaritan.
Issues: The human factors issues include the visibility of the unplowed Interstate lane of travel, the initial reaction and subsequent actions of the truck driver, the actions of the driver who struck the pedestrians, etc.
Status: Case Settled
Testimony: Expert Consultation

Case: Estate of Kepley v. C.R. England
Attorney: David Duke
    Young Moore and Henderson
    3101 Glenwood Avenue
    Suite 200
    Raleigh, NC 27612
Side: Defendant
Description: This case involves the death of a Good Samaritan while assisting a truck driver who had spun in the snow on an unplowed lane of an Interstate highway. A drunk driver who failed to slow down when passing the site of the spinout incident, which has been cleared by the time of the subsequent crash, struck the Samaritan.
Issues: The human factors issues include the visibility of the unplowed Interstate lane of travel, the initial reaction and subsequent actions of the truck driver, the actions of the driver who struck the pedestrians, etc.
Status: Case Settled
Testimony: Expert Consultation
Attorney: Michael Pajcic
Pajcic & Pajcic
One Independent Drive
Suite 1900
Jacksonville, FL 32202
Side: Plaintiff
Description: This case involves the death of a motorcycle driver who struck the side of a box truck that was backing into a private driveway from a four-lane, high-speed roadway at night. Three motorcycle drivers were traveling together.
Issues: The human factors issues include the visibility of the box truck, the behavior of the box truck driver, the visibility of the motorcycles, the ability of the motorcycle drivers to effectively evade the box truck, etc.
Status: Active
Testimony: Deposition

Case: Self v. United Petroleum Transport
Attorney: Paul Bossart
Capshaw & Associates
3500 Maple
Suite 1100
Dallas, TX 75219
Side: Plaintiff
Description: This case involves injuries incurred by the driver of a vehicle moving slowly and towing a boat on an Interstate highway. A tractor-trailer struck the boat from the rear.
Issues: The human factors issues include the visibility of the lead vehicle, the ability of the tractor-trailer driver to determine that the lead vehicle was traveling slowly, the behavior of the tractor-trailer and automobile drivers, the ability of the tractor-trailer driver to react in time to avoid colliding with the towed vehicle, etc.
Status: Case Settled
Testimony: Expert Consultation

Case: Privette v. Coca-Cola Refreshments
Attorney: Todd Hoffpauir
Montgomery, Rennie & Jonson
36 East Seventh Street
Suite 2100
Cincinnati, OH 45202
Side: Plaintiff
Description: This case involves injuries incurred by the driver of a small delivery van when he ran into the back of a tractor-trailer that was traveling slowly in the right lane of an interstate highway.
Issues: The human factors issues include the visibility of the tractor-trailer and the delivery van, the ability of the delivery van driver to determine that the tractor-trailer was traveling slowly, the behavior of the tractor-trailer and van drivers, the ability of the van driver to react in time to avoid colliding with the tractor-trailer, etc.
Status: Case Settled
Testimony: Expert Report
Expert Witness Summary - Maddox

Attorney: Bright Lindler
   Attorney at Law
   107 Rockingham Road
   Rockingham, NC 28380
Side: Plaintiff
Description: This case involves injuries incurred by a construction worker who fell from an unlit interior stairway in a building that was under construction.
Issues: The human factors issues include the visibility and design of the stairs, the ability of the workers to adapt from a bright outside environment to an inside environment, the likely mechanism for the misstep and fall, etc.
Status: Case Complete
Testimony: Deposition and Trial

Case: Gentry v. Kemper Construction
Attorney: Tyler Thompson
   Dolt, Thompson, Shepherd & Kinney
   13800 Lake Point Circle
   Louisville, KY 40223
Side: Plaintiff
Description: This case involves the death of a construction worker who fell into the mixing section of a concrete mixer/pump. The latches on a door covering the mixer section were broken and a safety interlock was not functional, allowing the doors to move without shutting down the mixer section.
Issues: The human factors issues include the expectation of the construction worker to be able to walk on the doors with the broken hinges, the ability of observers to see that the door hinges were broken, the reliance of workers on the functioning interlocks, etc.
Status: Case Settled
Testimony: Expert Consultation

Case: Rosenberg v. RDU Airport
Attorney: Marty Rosenberg
   Martin A. Rosenberg, Attorney at Law
   695 Hillside Dairy Road
   Pittsboro, NC 27312
Side: Plaintiff
Description: This case involves injuries incurred by an elderly women who fell crossing between the terminal and the parking garage at RDU airport. The crosswalk area was elevated and included sloping ramps on either side of the flat walking area. Both slopes were striped with paint, as was the flat area. The incident occurred during hours of darkness.
Issues: The human factors issues include the visibility of the striping, the demarcation of the flat walking surface versus the sloped area, the demarcation of the curb adjacent to the sloped areas, the lack of barriers to keep pedestrians off of the sloped areas of the crosswalk, etc.
Status: Case Settled
Testimony: Expert Report
Case: The State of Kentucky v. Lassiter
Attorney: Guthrie True
    True Guarnieri Ayer
    124 West Clinton Street
    Frankfort, KY 40601
Side: Defendant
Description: This case involves the death of the driver of a passenger vehicle that was stopped for construction when struck from behind by a pickup truck. The incident occurred on a four-lane highway during hours of daylight.
Issues: The human factors issues include the visibility of the stopped traffic to the oncoming pickup truck, the ability of the driver of the pickup truck to realize the vehicles ahead of him were moving very slowly or stopped, the looming threshold of the driver of the pickup truck, the ability of the driver of the pickup truck to respond to stopped traffic in time to effectively avoid striking the stopped vehicles, etc.
Status: Case Settled
Testimony: Expert Consultation

Attorney: Carson Runge
    Sloan, Bagley, Hatcher & Perry
    101 East Whaley Street
    Longview, TX 75601
Side: Plaintiff
Description: This case involves injuries sustained by the driver of a passenger tractor-trailer that struck another tractor-trailer that backed onto a four-lane highway in darkness in an attempt to turn around. The struck vehicle was stopped and blocking both lanes of travel in one direction when the crash occurred. The crash occurred when the sky was dark.
Issues: The human factors issues include the visibility of the tractor-trailer that was turning around, the behavior of the drivers of both vehicles, the ability of the oncoming tractor-trailer driver to determine that the turning tractor-trailer was occupying both lanes of travel, the ability of the oncoming tractor-trailer driver to perceive that the turning T-T was stopped, the ability of the oncoming tractor-trailer driver to take effective evasive action, etc.
Status: Case Settled
Testimony: Deposition

Case: Orr v. Taco Bell
Attorney: Mike Bee
    HPCB&D
    500 Tracy Way
    Charleston, WV 25311
Side: Plaintiff
Description: This case involves injuries incurred by a customer at a Taco Bell restaurant when she slipped and fell when she stepped on the wet floor of the public bathroom. The water on the floor came from a leaking sink.
Issues: The human factors issues include the visibility of the water on the floor, the expectation of the customer with respect to the floor surface, the most common slip mechanism for pedestrians, the ability of a person to recover from a slip once it has been initiated, etc.
Status: Case Settled
Testimony: Expert Report
**Case: Tripp v. Penske Leasing and Branch**
**Attorney:** Jon Berkelhammer  
Ellis & Winters  
300 North Greene Street  
Suite 800  
Greensboro, NC 27401  
**Side:** Defendant  
**Description:** This case involves the death of a passenger in a slow-moving or stopped automobile that was struck by a box truck while in the travel lane of a 4-lane highway in the early morning hours. It was dark at the time of the crash.  
**Issues:** The human factors issues include the visibility of the slow/stopped vehicle, the expectation of the driver of the box truck, the ability of the driver of the box truck to ascertain that the passenger vehicle was, in fact, stopped or moving slowly, the reaction of the box truck, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consultation

**Case: Mashburn v. Franklin Heights Baptist Church, et al.**
**Attorney:** Joe Tunstall  
O’Malley & Tunstall  
405 Main Street  
Tarboro, NC 27886  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by a teenager when she was struck by an automobile while participating in a church-sponsored scavenger hunt that was taking place in a dark urban area.  
**Issues:** The human factors issues include the visibility of the visibility of the pedestrians, the actions of the pedestrians and the driver whose vehicle struck them (two people were actually struck), the planning actions of the event organizers, etc.  
**Status:** Active  
**Testimony:** Deposition

**Case: Lasek v. Keith**
**Attorney:** Mark Bonner  
Norman & Edem  
127 N.W. 10th Street  
Oklahoma City, OK 73103  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by a tractor-trailer driver when he crashed into the bottom of an overturned tractor-trailer on an Interstate highway at night. Prior to this crash, the original tractor-trailer ran off the highway, over-corrected, and overturned.  
**Issues:** The human factors issues include the visibility of the overturned tractor-trailer, the factors leading to the original incident in which the tractor-trailer overturned, the ability of the oncoming driver to evade the overturned tractor-trailer, etc.  
**Status:** Case Settled  
**Testimony:** Deposition
Case: Camp v. Merit Builders  
Attorney: William Plyler  
            Edwards Kirby  
            3201 Glenwood Ave.  
            Suite 100  
            Raleigh, NC 27612  
Side: Plaintiff  
Description: This case involves injuries incurred by an air-conditioning technician when he fell through a fiberglass panel on the roof of a building on which he was servicing an air-conditioning compressor. The entire roof, including a number of fiberglass panels, had recently been coated with a colored sealant.  
Issues: The human factors issues include the visibility of the painted fiberglass panels with respect to the rest of the metal roof and the adequacy of a verbal “warning” given to the technician by the manager of the business operating in the building.  
Status: Active  
Testimony: Deposition

Case: Nguyen v. Hodges and Sureway Logistics  
Attorney: Allen Smith  
            Hedrick, Gardner, Kincheloe & Garofalo  
            6000 Fairview Road  
            Suite 1000  
            Charlotte, NC 28210  
Side: Defendant  
Description: This case involves the death of two individuals in a secondary crash that occurred on an Interstate highway at night. A tractor-trailer struck a minivan that had previously overturned in a travel lane. The top of the black minivan was facing oncoming traffic. A pedestrian was at the minivan attempting to help the driver when he and the minivan were struck by an oncoming tractor-trailer.  
Issues: The human factors issues include the visibility of the overturned minivan and the pedestrian, the actions of the tractor-trailer driver just prior to encountering the minivan, the expectations of the tractor-trailer driver, his perception reaction time, etc.  
Status: Case Settled  
Testimony: Deposition

Case: Newton v. Hardees  
Attorney: Thomas Henson  
            Henson Fuerst  
            2501 Blue Ridge Road  
            Raleigh, NC 27607  
Side: Plaintiff  
Description: This case involves injuries incurred by a patron when she tripped over a water diversion hump that extended into a handicapped parking space.  
Issues: The human factors issues include the visibility of the diverter, the compliance of the handicapped parking space with ADA requirements, the behavior of the pedestrian, the most likely tripping mechanism, the likelihood of recovering from the trip before striking the pavement, etc.  
Status: Case Settled  
Testimony: Expert Consultation
Expert Witness Summary - Maddox

Case: Wilson v. Miami Dade County
Attorney: Eric Gressman
   Assistant County Attorney
   Miami Dade County Attorney’s Office
   111 NW 1st Street
   Suite 2810
   Miami, FL 33128
Side: Defendant
Description: This case involves the death of bicyclist who was struck by a City of Miami vehicle while riding his bicycle at night the wrong way in a bus lane.
Issues: The human factors issues include the visibility of the bicyclist, the behavior of the bicyclist, the expectations and behavior of the city vehicle, etc.
Status: Active
Testimony: Deposition

Attorney: Bo Bruner
   Belt Law Firm
   2204 Lakeshore Drive
   Suite 114
   Birmingham, AL 35209
Side: Plaintiff
Description: This case involves the death of an aircraft mechanic who was killed when the propeller of an airplane on which he was working rotated unexpectedly and struck him in the head. He was in the process of conducting differential pressure tests on the cylinders of the aircraft engine.
Issues: The human factors issues include the design of the two products the mechanic was using for the test, the risk analyses (or lack thereof) conducted by the designers and manufacturers of the two products, the expected behavior of the mechanic, the likelihood of misconnecting a high-pressure air hose directly to the cylinder, etc.
Status: Active
Testimony: Deposition

Case: Libke v. Chavis
Attorney: Hugh McAngus
   Chappell, Smith & Arden
   1510 Calhoun Street
   Columbia, SC 29201
Side: Plaintiff
Description: This case involves injuries sustained by an automobile driver when he struck the rear of a stopped box truck at an intersection. The intersection was signalized and the plaintiff (and the stopped vehicle) had the green light. The crash occurred at night.
Issues: The human factors issues include the visibility of the visibility of the stopped vehicle, the perception on the part of the oncoming driver regarding the speed of the lead vehicle, the behavior of the drivers of both vehicles, the perception-reaction time of the approaching vehicle, etc.
Status: Case Settled
Testimony: Consultation only
Case: Davis v. WalMart
Attorney: Billy Walker
   Walker Morgan
   135 East Main Street
   Lexington, SC 29072
Side: Plaintiff
Description: This case involves injuries sustained by a WalMart shopper after she slipped on a clothes hanger that was on the floor of an aisle in the store. The body of the hanger was white plastic and the floor was covered with white tile.
Issues: The human factors issues include the visibility of the hangar in peripheral vision, the expectation of the pedestrian who slipped, the role of merchandise with respect to directed vision, typical slipping mechanisms, the likelihood of recovery after a slip before falling to the ground, etc.
Status: Case Settled
Testimony: Deposition

Case: Pitts v. Goodrum
Attorney: Ken McKenna
   Delleker, Wilson, King, McKenna, Ruffier & Sos
   719 Vassar Street
   Orlando, FL 32804
Side: Plaintiff
Description: This case involves injuries sustained by a pedestrian who tripped over the raised lip of a concrete front porch while entering the home of a neighbor.
Issues: The human factors issues include the visibility of the raised lip, the expectation of the pedestrian who tripped, the violation of national standards and recommended practice represented by the step, typical tripping mechanisms, the likelihood of recovery after a trip before falling to the ground, etc.
Status: Case Settled
Testimony: Expert report

Case: Jackson v. City of Charlotte, NC
Attorney: Bob McDonnell
   Attorney at Law
   212 S. Tryon Street
   Suite 470
   Charlotte, NC 28281
Side: Defendant
Description: This case involves injuries sustained by a motorcycle driver when he crashed into a city bus that turned left across his path.
Issues: The human factors issues include the visibility of the motorcycle driver and the motorcycle, the speed of the motorcycle, the visibility of the bus, expectations on the parts of the bus driver and motorcycle driver, etc.
Status: Case Settled
Testimony: Expert Consultation
**Case:** Green v. Norfolk & Southern Railroad  
**Attorney:** Howard Spier  
Rossman, Baumberger, Rebozo & Spier  
9155 S. Dadeland Blvd.  
Suite 1200  
Miami, FL 33156  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by an employee when he tripped over an exposed outlet box that had been mounted on the floor of a small office in a rail yard.  
**Issues:** The human factors issues include the visibility of the outlet box, the placement of the outlet box, the mechanism of the fall, the lighting in the office, the adaptation level of the person who fell, the constrained walking paths in the office, etc.  
**Status:** Case Settled  
**Testimony:** Expert report

**Case:** Rodriquez and Bell v. Barnes  
**Attorney:** Pedro Krompecher  
Krompecher Law Firm  
4010 Barrett Drive  
Suite 203  
Raleigh, NC 27609  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by a renter when she fell down the unlighted steps of her apartment building at night.  
**Issues:** The human factors issues include the visibility of the stairs, the mechanism of the fall, the lighting of the stairs and landing, the adaptation level of the person who fell, the design of the stairway, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Rudoff v. Qina, et al.  
**Attorney:** Gregg Page  
Page, Eichenblatt, Bernbaum & Bennett  
214 E. Lucerne Circle  
Orlando, FL 32801  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by a pedestrian when she was struck by a vehicle while crossing the street at a marked crosswalk in a tourist area. The event occurred during hours of darkness at a stop-controlled intersection.  
**Issues:** The human factors issues include the visibility of the pedestrian, the expectations of the pedestrian and the driver of the vehicle that struck her, the ambient lighting in the area of the incident, the state and timing of the stop lights at the intersection, typical pedestrian crossing behavior, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consulting
Attorney: Hoyt Tessener
        Martin & Jones
        410 Glenwood Avenue
        Suite 200
        Raleigh, NC 27603
Side: Plaintiff
Description: This case involves injuries sustained by a motorist when he ran beneath the rear of a tractor-trailer that was stopped in a travel lane of an Interstate highway. The crash occurred during hours of darkness.
Issues: The human factors issues include the visibility of the tractor-trailer, the ability of the motorist to perceive that the tractor trailer was stopped, the behavior of the tractor-trailer driver, the reaction of the motorist to a vehicle in front of him as that vehicle maneuvered to avoid the stopped T-T, etc.
Status: Case Settled
Testimony: Deposition

Case: Vasquez-Vallejo v. Reynolds
Attorney: Zach Leacox
        McBride, Scicchitano & Leacox
        800 N. Magnolia Avenue
        Suite 1800
        Orlando, FL  32803
Side: Plaintiff
Description: This case involves the death of a child who was struck by a tractor-trailer exiting a major highway. The child was crossing the exit in a crosswalk at a stop sign at the end of the exit ramp. The incident occurred during daylight hours.
Issues: The human factors issues include the visibility of the children from the beginning to the end of the exit ramp, driver glance patterns, pedestrian behavior at crosswalks, the behavior of the tractor-trailer driver, etc.
Status: Case Settled
Testimony: Expert Consultation

Case: Stumbaugh v. Drawdy Brothers
Attorney: Alfred Bell
        Steinger, Iscoe & Greene
        507 N.W. Lake Whitney Place
        Port St. Lucie, FL 34986
Side: Plaintiff
Description: This case involves injuries sustained by a driver when he struck the rear of a construction utility trailer that was stopped, along with the truck towing it, in a travel lane of a heavily traveled urban highway. The truck towing the trailer had been involved in a previous crash and no emergency cones or other indicators were deployed. The crash happened during hours of darkness, but near the start of civil twilight at sunrise.
Issues: The human factors issues include the visibility of the stopped trailer, the hazard posed by the stopped trailer and truck, glance patterns of typical drivers, perceptual issues related to realizing that vehicles ahead are stopped, etc.
Status: Unknown
Testimony: Expert Consultation
Expert Witness Summary - Maddox

Case: Perry v. Florida East Coast Railroad (FEC)
Attorney: Howard Spier
    Rossman, Baumberger, Reboso & Spier
    9155 S. Dadeland Blvd.
    Suite 1200
    Miami, FL 33156
Side: Plaintiff
Description: This case involves injuries sustained by a railroad worker when he tripped and fell over a rock placed in a paved area in which he was working.
Issues: The human factors issues include the visibility of the rock, the expectations of the worker, the tripping hazard presented by the rocks, typical gaze patterns of pedestrians, typical trip mechanisms, the likelihood of recovering from a trip once it is initiated, etc.
Status: Case Settled
Testimony: Deposition

Attorney: Robert Green
    Law Offices of Robert F. Green & Associates
    501 S. New York Avenue
    Suite 230
    Winter Park, FL 32789
Side: Plaintiff
Description: This case involves injuries sustained by a motorist whose vehicle was struck by a service truck that veered into his lane of travel after striking a stopped vehicle in the other lane.
Issues: The human factors issues include the visibility of the stopped vehicle and the striking driver's ability to perceive that it was stopped, the perception-reaction time of the driver who struck the stopped vehicle and the driver of the plaintiff, the expectations of both drivers, the ability of the service truck driver to avoid veering into the oncoming lane, etc.
Status: Case Settled
Testimony: Expert Consultation
2014

Case: Kelly v. Hilton Garden Inn
Attorney: Haynes Studstill
Studstill Law Firm
311 North Patterson Street
Suite A
Valdosta, GA
Side: Plaintiff
Description: This case involves injuries incurred by an attendee at a function in a hotel meeting room when she tripped on a tablecloth that extended to the floor during a buffet luncheon.
Issues: The human factors issues include the visibility of the tablecloth, the likelihood of a person getting food looking at the floor, typical tripping mechanisms, likelihood of recovery after a trip, but before falling to the ground, etc.
Status: Case Settled
Testimony: Expert Consultation

Case: Stalnaker v. East Texas Medical Center
Attorney: Carson Runge
Sloan, Bagley, Hatcher & Perry
101 East Whaley Street
Longview, TX 75601
Side: Plaintiff
Description: This case involves injuries incurred by the client of a small medical practice when she tripped over a wheel block in a parking lot while returning to her car. The wheel block was adjacent to a raised sidewalk and the incident occurred at night.
Issues: The human factors issues include the visibility of the sidewalk, parking lot surface, and wheel block, the levels of illumination in the parking lot, the shadows in the area of the fall caused by artificial lighting, the common trip mechanism for pedestrians, the ability of pedestrians to recover from a trip once it has been initiated, etc.
Status: Active
Testimony: Expert Report

Case: Walker v. Jackson & Sons Dairy
Attorney: Tad Griffin
Pajicic & Pajicic
One Independent Drive
Suite 1900
Jacksonville, FL 32202
Side: Plaintiff
Description: This case involves injuries incurred by a motorist when she struck the rear of a farm implement being towed slowly in the dark on a two-lane highway.
Issues: The human factors issues include the visibility of the farm implement, the ambient lighting in the area of the crash, the actions of the oncoming motorist to avoid striking the slow-moving vehicle, etc.
Status: Case Settled
Testimony: Expert Consultation
Expert Witness Summary - Maddox

Case: Andrade v. Lamb  
Attorney: Phil Hornthal  
   Hornthal, Riley, Ellis & Maland  
   301 East Main Street  
   Elizabeth City, NC 27909  
Side: Defendant  
Description: This case involves injuries incurred by a motorist as she stood behind her disabled vehicle at night while it was in a travel lane of an urban roadway. Her vehicle had no operational lights.  
Issues: The human factors issues include the visibility of the pedestrian and the vehicle, the ambient lighting in the area of the crash, the ability of the oncoming driver to see the retroreflectors on the rear of the stopped car and to interpret them correctly, the actions of the oncoming motorist to avoid striking the pedestrian and the stopped vehicle, etc.  
Status: Case Settled  
Testimony: Deposition

Case: Boan v. TG&G Trucking  
Attorney: David Williams  
   Williams & Williams  
   1281 Russell Street  
   Orangeburg, SC 29115  
Side: Plaintiff  
Description: This case involves the death of the driver of a passenger vehicle that ran underneath the side of a trailer as a tractor-trailer was backing across and blocking a 2-lane highway into a private drive. The crash occurred at night in a rural area.  
Issues: The human factors issues include the visibility of the tractor-trailer to the oncoming motorist, the visibility of the oncoming motorist to the driver of the tractor-trailer, the expectations of the motorist, looming threshold distance, available perception-reaction time, and the choice of the tractor-trailer driver to make the maneuver.  
Status: Case Settled  
Testimony: Expert Consultation

Case: Bellet v. Wurster and B&L Landscaping  
Attorney: Curry Pajcic  
   Pajcic & Pajcic  
   Suite 1900  
   One Independent Drive  
   Jacksonville, FL 32202  
Side: Plaintiff  
Description: This case involves the death of the child who was struck by a service truck while riding a bicycle in the vicinity of a school.  
Issues: The human factors issues include the visibility of the child, the behavior of the child, the expectations of the truck driver, the ability of the truck driver to perceive the bicycle and to take evasive action to avoid hitting it, etc.  
Status: Case Settled  
Testimony: Expert Consultation
Case: Littlejohn v. Werner Enterprises  
Attorney: Chris Glover  
Beasley Allen  
218 Commerce Street  
Montgomery, AL 36104  
Side: Plaintiff  
Description: This case involves the death of the driver of a passenger vehicle that ran underneath the rear of a trailer as a tractor-trailer was backing up in the travel lanes of a 4-lane highway. The crash occurred at night.  
Issues: The human factors issues include the visibility of the tractor-trailer to the oncoming motorist, the visibility of the oncoming motorist to the driver of the tractor-trailer, the expectations of the motorist, looming threshold distance, available perception-reaction time, and the choice of the tractor-trailer driver to make the maneuver.  
Status: Case Settled  
Testimony: Deposition

Attorney: Austin Oyler  
Strauch, Green & Mistretta  
530 North Trade Street  
Suite 303  
Winston-Salem, NC 27101  
Side: Plaintiff  
Description: This case involves the death of the driver of a commercial truck when he struck the rear of another commercial truck that was traveling slowly in the travel lane of an Interstate highway. The crash occurred during hours of darkness.  
Issues: The human factors issues include the visibility of the slow-moving tractor-trailer to the oncoming motorist, the visibility of the oncoming tractor-trailer to the driver of the lead tractor-trailer, the expectations of the oncoming driver, fatigue of the lead T-T driver, looming threshold distance, perception-reaction time, and the choice and ability of the tractor-trailer driver to make the maneuver.  
Status: Trial Complete  
Testimony: Deposition

Attorney: Steve Cain  
Stewart, Tilghman, Fox & Bianchi  
One Southeast Third Avenue  
Suite 3000  
Miami, FL 33131  
Side: Plaintiff  
Description: This case involves the death of the driver of a passenger vehicle that ran underneath the rear of a trailer as a tractor-trailer that entered an Interstate highway at low speed. The crash occurred at night on an unlit portion of the highway.  
Issues: The human factors issues include the visibility of the tractor-trailer to the oncoming motorist, the visibility of the oncoming motorist to the driver of the tractor-trailer, the expectations of the motorist, looming threshold distance, perception-reaction time, and the choice of the tractor-trailer driver to make the maneuver.  
Status: Case Settled  
Testimony: Deposition
**Expert Witness Summary - Maddox**

**Case:** Doby v. Vermillion  
**Attorney:** Michael Doran  
Doran, Shelby, Pethel and Hudson  
122 North Lee Street  
Salisbury, NC 28144  
**Side:** Plaintiff  
**Description:** This case involves the death of the driver of a passenger vehicle that ran underneath the side of a trailer as a tractor-trailer blocked both travel lanes while backing into a private driveway at night.  
**Issues:** The human factors issues include the visibility of the tractor-trailer to the oncoming motorist, the expectations of the motorist, disability glare, perception-reaction time, and the choice of the tractor-trailer driver to make the maneuver at night.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Higginbotham v. Petroleum Transport, Inc.  
**Attorney:** Noah Abrams  
Abrams & Abrams  
1526 Glenwood Avenue  
Raleigh, NC 27608  
**Side:** Plaintiff  
**Description:** This case involves the death of the driver and passenger of a motorcycle that collided with a tractor-trailer that pulled out in front of them from a partially hidden business entrance at night.  
**Issues:** The human factors issues include the visibility of the tractor-trailer to the motorcycle driver, the decision of the tractor-trailer driver to pull out when the motorcycle was close to the business entrance, the recognition of the hazard posed by the tractor-trailer, the perception and reaction of the motorcycle driver, etc.  
**Status:** Case Settled  
**Testimony:** Expert report

**Case:** Milliner v. Food Depot  
**Attorney:** Travis Little  
The Keener Law Firm  
640 Village Trace  
Marietta, GA 30067  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by a shopper at a retail grocery store when she tripped over a shopping cart stop bar attached to the floor near the front of the store. The bar was typically hidden by carts, but was uncovered at the time of her fall.  
**Issues:** The human factors issues include the tripping hazard formed by the stop bar, the location of the stop bar adjacent to a phone card shop, typical glance behavior of people walking on even surfaces, the likelihood of the phone card shop drawing the shopper’s attention, the typical mechanism for tripping, etc.  
**Status:** Case Settled  
**Testimony:** Expert report
**Case:** Orgeron v. Southern Tank Transport  
**Attorney:** Kevin Kendred  
Adkerson, Hauder & Bezney  
1700 Pacific Avenue  
Suite 4450  
Dallas, TX 75201  
**Side:** Defendant  
**Description:** This case involves injuries incurred by a motorist whose vehicle was struck from behind by a tractor-trailer. The struck vehicle was stopped in a travel lane of an Interstate highway in the early morning hours, having been involved in a previous collision with another passenger vehicle, which was also stopped in the travel lane.  
**Issues:** The human factors issues include the hazard formed by the stopped vehicles, the visibility of the stopped vehicles, the ability of the truck driver to see the stopped vehicles, the ability of the truck driver to perceive that the vehicles were, in fact, stopped, driver glance behavior, the time to safely change lanes, the role of distractions, perception-reaction time, etc.  
**Status:** Case Settled  
**Testimony:** Expert report

**Case:** Proctor v. Town of Davidson, NC  
**Attorney:** Chris Mauriello  
Mauriello Law Offices  
19810 W. Catawba Ave.  
Suite E  
Cornelius, NC 28301  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by a pedestrian when she stepped in a depression in a brick paver sidewalk and then tripped over a raised edge of a row of pavers at the edge of the depression.  
**Issues:** The human factors issues include the hazard formed by the combination of the depression and raised edge, the visibility of the anomalies in the sidewalk, the typical glance patterns of pedestrians while walking on finished surfaces, the behavior of the pedestrian, etc.  
**Status:** Case Settled  
**Testimony:** Expert report

**Case:** Patten v. Papa John’s, et al.  
**Attorney:** Ken McKenna  
Delleker, Wilson, King, McKenna, Ruffier & Sos  
719 Vassar Street  
Orlando, FL 32804  
**Side:** Plaintiff  
**Description:** This case involves injuries incurred by a patron to a Papa John’s takeout restaurant when he fell over a drop-off while walking back to his car after picking up a pizza. This occurred during hours of darkness.  
**Issues:** The human factors issues include the visibility of the drop-off, the lighting in the vicinity of the drop-off, the typical glance pattern of individuals walking on regular surfaces, the compliance of the pedestrian path to national standards, the likelihood of recovering once a trip and fall has begun, etc.  
**Status:** Case Settled  
**Testimony:** Expert report
**Case:** Spangler v. Union Pacific Railroad  
**Attorney:** David Donna  
   Donna Law Firm  
   7601 France Avenue South  
   Suite 350  
   Minneapolis, MN 55435  
**Side:** Defendant  
**Description:** This case involves injuries incurred by a railroad worker when his arm came into contact with a passing locomotive while he was working in a rail yard at night.  
**Issues:** The human factors issues include the ability of the worker to see the oncoming train as it approached, the actions of the oncoming train crew, the expectations of the yard worker, the procedures in place to prevent encroachment on an active track, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consultation

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**Case:** Rohaidy v. All American Barricades  
**Attorney:** David McDonald  
   McLuskey & McDonald  
   8821 S.W. 69th Court  
   Miami, FL 33156  
**Side:** Plaintiff  
**Description:** This case involves the death of a motorist who struck a stopped vehicle on the far side of a bridge with a vertical curve. The stopped vehicle was in a line of traffic that was stopped due to lane closures for a triathlon. The lanes on the near side of the hill were open and all the traffic control cones had been removed, thus leaving no visual cue as to the lane closures on the far side of the hill.  
**Issues:** The human factors issues include the expectation of drivers going over the hill, the ability of motorists to judge that vehicles in front of them are moving slowly or are stopped, the perception-reaction time of the plaintiff, the role of lane closure warnings, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

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**Case:** Butts v. Town of Hanceville, et al.  
**Attorney:** Rip Andrews  
   Marsh, Rickard & Bryan  
   800 Shades Creek Parkway  
   Suite 600-D  
   Birmingham, AL 35209  
**Side:** Plaintiff  
**Description:** This case involves the death of a motorist who was attempting to cross an intersection at night when her vehicle was struck by a police car traveling nearly 90 mph with no emergency lights or siren activated.  
**Issues:** The human factors issues include the visibility of the police car and the motorist to each other, the ability of the motorist to judge the speed of the police car, the perceived crossing time available to the motorist, typical intersection crossing behavior of motorists, etc.  
**Status:** Trial Complete  
**Testimony:** Deposition and Trial
Expert Witness Summary - Maddox

Attorney: Bill Hatfield
    Hatfield & Temple
    170 Courthouse Square
    Florence, SC  29503
Side: Plaintiff
Description: This is the second case to arise from a single-vehicle rollover crash that claimed the life of the passenger. The crash occurred in an area of a two-lane roadway that was recently repaved and there were significant ditches along the outer edges of the roadway. The vehicle left the paved surface, ran along the ditch, then ran across the roadway and overturned. The outer edges of the roadway had not been painted with temporary fog lines and the crash occurred at night.
Issues: The human factors issues include the visibility of the edge of the pavement, the effects of disability glare due to oncoming headlights, driver distraction, visual cues used to keep lane position, typical glance behavior for drivers when negotiating curves, etc.
Status: Case Settled
Testimony: Expert Consultation (deposition in original case)

Case: Myers v. Love’s Travel Stops, et al.
Attorney: Jim Marshall
    Bailey & Wyant
    500 Virginia Street, East
    Suite 600
    Charleston, WV  25337
Side: Defendant
Description: This case involves injuries incurred by a tractor-trailer driver whose vehicle was being serviced on the shoulder of an Interstate highway by employees of a Love’s Travel Stop. The driver was struck by another tractor-trailer while standing on the edge of the travel lane of the highway. The incident occurred at night.
Issues: The human factors issues include the visibility of the Love’s service truck’s emergency lights, the visibility of the oncoming tractor-trailer, the judgment of the injured tractor-trailer driver, etc.
Status: Case Settled
Testimony: Expert Consultation

Case: Sheffer v. Dalton
Attorney: Bill Lipscomb
    Willardson & Lipscomb
    206 East Main Street
    Wilkesboro, NC  28697
Side: Defendant
Description: This case involves the death of the driver of a motor scooter after he ran into the side of an automobile that turned left across his path. The crash happened at a signalized intersection at night. The automobile was turning into an apartment complex. The scooter did not have an operating headlight, but a bicycle light was affixed to its handlebars.
Issues: The human factors issues include the visibility of the motor scooter and the turning automobile, the likelihood of the automobile seeing and correctly interpreting the bicycle headlight, and the behavior of both drivers.
Status: Trial Complete
Testimony: Disclosure affidavit
Case: Bhanot/Chapman v. Sundance Helicopters  
Attorney: Gary Robb  
Robb & Robb  
One Kansas City Place  
Suite 3900  
Kansas City, MO 64105  
Side: Plaintiff  
Description: This case involves multiple deaths from the crash of a sightseeing helicopter based in Las Vegas. The helicopter crashed during the first 15 minutes of a sundown excursion from Las Vegas to the Hoover Dam. The NTSB concluded that the cause of the crash was the failure of maintenance technicians to properly secure a control linkage to the main rotor.  
Issues: The human factors issue I was asked to address is fatigue on the part of the aviation maintenance technicians (AMTs) who performed major service on the helicopter the night before the crash.  
Status: Trial Complete  
Testimony: Deposition and trial

Case: Tate v. Wright, et al.  
Attorney: Steve Barns  
Barnes Trial Group  
110 11th Street North  
2nd Floor  
Tampa, FL 33602  
Side: Plaintiff  
Description: This case involves injuries sustained by a person who was viewing a house for sale. She stepped into the foyer of the house and proceeded toward the back of the room when she fell over a stepdown into a sunken living room.  
Issues: The human factors issues I was asked to address include the visibility of the stepdown, typical gaze patterns for pedestrians, typical trip and fall mechanisms, the use of depth perception to detect and appreciate changes in the level of walking surfaces, the optical illusion formed by the transition between tile and carpet at the stepdown, etc.  
Status: Active  
Testimony: Deposition

Case: Moffett v. Lowes Home Centers  
Attorney: Tom LeQuire  
Spicer Rudstom  
537 Market Street  
Suite 203  
Chattanooga, TN 37402  
Side: Defendant  
Description: This case involves injuries sustained by a person who drove a pickup truck in reverse into the checkout area of the garden center at a Lowes Home Center.  
Issues: The human factors issues I was asked to address include the layout and markings of the pickup area in front of the Lowes store, the potential use of barriers to prevent vehicles from driving into the checkout area, the likelihood that driver of the pickup truck pressed the accelerator instead of the brake while backing, etc.  
Status: Case Settled  
Testimony: Expert report
Case: Chapman v. North Carolina DOT  
Attorney: Brent Adams  
   Brent Adams & Associates  
   119 Lucknow Square  
   Dunn, NC 28334  
Side: Plaintiff  
Description: This case involves injuries sustained by a driver who pulled out from a stop-controlled intersection into the main highway and was struck by a vehicle on the major road.  
Issues: The human factors issues I was asked to address include the layout and signage of the intersection, the sight lines of the stopped driver from the stop line, the sight lines of the oncoming driver, the ability of the oncoming driver to avoid the collision, etc.  
Status: Case Withdrawn  
Testimony: Expert Consultation
2013

**Case:** Bynum v. Brink  
**Attorney:** Seth Pajcic  
Pajcic & Pajcic  
One Independent Drive  
Suite 1900  
Jacksonville, FL 32202  
**Side:** Plaintiff  
**Description:** This case involves the death of a bicyclist after being struck from behind by a motorist operating a car. The incident occurred during daylight hours.  
**Issues:** The primary human factors issues are the visibility of the bicyclist, the behavior of the bicyclist, the actions of the driver of the car, the perception-reaction time of the driver of the car, etc.  
**Status:** Trial completed  
**Testimony:** Deposition

**Case:** Ruis-Morgan v. Woller, et al.  
**Attorney:** Jack Fine  
Fine, Farkash & Parlapiano  
622 Northeast First Street  
Gainesville, FL 32601  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by a tractor-trailer driver when her vehicle struck the rear of another tractor-trailer being towed into a repair facility. The wrecker and the towed vehicle slowed to turn into the facility, but it had no rear lights hooked up to indicate braking or the intended turn.  
**Issues:** The primary human factors issues are the visibility of the wrecker and towed tractor-trailer, the difficulty of the plaintiff in perceiving that the lead vehicle was slowing dramatically, the reaction of the plaintiff driver, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consultation

**Case:** Nuncio v. Parades & Foss Auto Recycling  
**Attorney:** Mike Malone  
Harden & Malone  
4600 Marriott Drive  
Suite 150  
Raleigh, NC 27612  
**Side:** Plaintiff  
**Description:** This case involves the death of a passenger in and injuries to the driver of an SUV that crashed under a trailer that was blocking both lanes of a rural highway at night. The driver of the tractor-trailer was attempting to back into a private driveway.  
**Issues:** The primary human factors issues are the visibility of the tractor-trailer, the realization on the part of the SUV driver that the trailer was blocking his travel lane, the behavior of the tractor-trailer driver, the expectations of the SUV driver, the time available for the SUV driver to react, etc.  
**Status:** Case Settled  
**Testimony:** Expert Consultation
Attorney: Kevin Liles
Liles & Harris
500 N. Water Street
Suite 800
Corpus Christi, TX  78401
Side: Plaintiff
Description: This case involves the death of a child who was a back seat passenger in an SUV that struck a tractor-trailer that was stopped partially in a travel lane on a high-speed roadway. The driver of the tractor-trailer did not realize that he could re-start his engine and pull off the roadway.
Issues: The primary human factors issues are the visibility of the tractor-trailer, the realization on the part of the SUV driver that the tractor-trailer was stopped, the behavior of the tractor-trailer driver, the expectations of the SUV driver, the time available for the SUV driver to react, etc.
Status: Case Settled
Testimony: Expert report

Case: Long v. CSX Transportation
Attorney: Jamie Holland
Harrell & Harrell
4735 Sunbeam Road
Jacksonville, FL 32257
Side: Plaintiff
Description: This case involves the death of an automobile driver and severe injuries to the passenger in a vehicle that was trapped between a grade crossing arm and the tracks. The driver stopped short of the tracks, but moved onto the tracks just before a train arrived at the crossing.
Issues: The primary human factors issues are the visibility of the oncoming train, the audibility of the train whistle, typical driver behavior at grade crossings, and the ways in which stress affected the decision making process of the automobile driver.
Status: Active
Testimony: Deposition

Case: Ottombrino v. Walmart
Attorney: Chris Cotten
Jeeves Law Group
954 1st Avenue North
St. Petersburg, FL  33705
Side: Plaintiff
Description: This case involves injuries received by a customer when he slipped on spilled liquid detergent in a shopping aisle
Issues: The primary human factors issues are the visibility of the spilled liquid, the likelihood that the customer would be looking at the floor in the vicinity of the spilled liquid, the role of the shopping cart in obscuring the spilled liquid, the likelihood of the customer recovering before falling after he slipped, and the spill monitoring strategy and procedures of the store.
Status: Active
Testimony: Deposition
Case: Akers v. Sanderson Farms  
Attorney: Mitch Frost  
Ferguson, Frost & Dodson  
1400 Urban Center Drive, Suite 200  
Birmingham, AL 35242  
Side: Defendant  
Description: This case involves injuries received by a worker on a guardrail repair crew when the arrow board she was setting up was struck by a tractor-trailer. The arrow board was partially in a travel lane on an Interstate highway at night.  
Issues: The primary human factors issues are the visibility of the arrow board in the presence of glare from an overhead floodlight, the visual distraction posed by a DOT truck parked across the highway with its strobe lights activated, the salience of signage leading to the area of impact, the behavior of the tractor-trailer driver, etc.  
Status: Active  
Testimony: Deposition

Case: Battista v. Brass Ring Pub  
Attorney: Alan Goldfarb  
Alan Goldfarb, PA  
100 SE 2nd St., Suite 4500  
Miami, FL 33131  
Side: Plaintiff  
Description: This case involves head injuries incurred by a patron of a bar/restaurant after being pushed backwards out of the front door of the establishment.  
Issues: The primary human factors issue is whether the patron was exhibiting any significant motor control issues prior to being ejected from the restaurant. Lengthy surveillance videos of the patron’s behavior prior to his injuries exist and form the basis for the analysis.  
Status: Case Settled  
Testimony: Deposition

Case: Burns v. Birge  
Attorney: Mike Kirby  
High, Stack & Gordon  
525 E. Strawbridge Avenue  
Melbourne, FL 32901  
Side: Plaintiff  
Description: This case involves injuries incurred by motorcycle driver and his passenger when a car in front of them stopped abruptly for no apparent reason.  
Issues: The human factors issues include the expectations of the motorcycle driver, the behavior of the motorist who suddenly stopped, perceptual issues in rear-end crashes, braking and reaction time differences between motorcycles and cars, etc.  
Status: Case Settled  
Testimony: Verbal report prior to mediation
Case: Roberts v. Adventure Landing
Attorney: Guy Crabtree
Pulley, Watson, King & Lischer
905 W. Main Street
Durham, NC  27701
Side: Plaintiff
Description: This case involves injuries incurred by a patron at a go-kart track when a go-kart struck her while she was attempting to move her go-kart off of a tire barrier.
Issues: The human factors issues include the adequacy of signage and warnings at the facility, instructions to the go-kart race participants, expectations of the go-kart drivers with respect to help from track attendants, and the adequacy of track monitoring by track attendants.
Status: Trial Complete
Testimony: Deposition and Trial

Case: Sanders v. Hubbard, et al.
Attorney: Curry Pajcic
Pajcic & Pajcic
One Independent Drive
Suite 1900
Jacksonville, FL  32202
Side: Plaintiff
Description: This case involves injuries incurred by motorist after she was struck from behind in an area of active road construction. The driver in this case was following a dump truck that slowed significantly before turning off the active highway.
Issues: The human factors issues include the visibility of the visibility of the dump truck and following car, perceptual issues regarding judging the speed of lead vehicles, the effects of dirt and sunlight on the visibility of the signal lights on the dump truck, driver behavior, expectation, perception-reaction time, etc.
Status: Case Settled
Testimony: Deposition

Case: DeBord v. Indian River Furniture
Attorney: Joe Gillin
Gillin, Gillin & Lindbaek
780 S. Apollo Boulevard
Suite 102
Melbourne, FL  32901
Side: Plaintiff
Description: This case involves injuries incurred by a customer after leaving a furniture store and tripping over a wheel stop while moving to the passenger side of her vehicle.
Issues: The human factors issues include the visibility of the wheel stop (which was unpainted), the obscuration of part of the wheel stop by the vehicle, the compliance of the furniture store with national safety standards, the glance pattern of the customer as she was walking, and the likelihood of arresting her fall once it began.
Status: Case Dismissed
Testimony: Deposition
Expert Witness Summary - Maddox

Case: Whittaker v. Wilford
Attorney: Mike Moran
        Harrell & Harrell
        4735 Sunbeam Road
        Jacksonville, FL  32257
Side: Plaintiff
Description: This case involves injuries incurred by a motorcycle driver when an SUV turned left across his lane of travel. The crash happened during the daytime. The motorcycle had its headlight turned on. The driver of the SUV claims to have never seen the motorcycle prior to the crash.
Issues: The human factors issues include the visibility of both the motorcycle and the SUV, level of attention for both drivers, the perception-reaction time of the motorcycle driver, the actions of both drivers prior to the crash, and the expectations of the motorcycle driver.
Status: Trial Complete
Testimony: Deposition

Case: Brummit v. Morningside of Belmont
Attorney: Bryan Smith
        Morgan & Morgan
        40 S. Main Street
        Suite 2600
        Memphis, TN  38103
Side: Plaintiff
Description: This case involves injuries incurred by the resident of an assisted living facility when she slipped and fell coming out of an elevator. The floor of the elevator lobby was being replaced and there was a leveling compound on the floor adjacent to the elevator doors.
Issues: The human factors issues include the visibility of the wet leveling compound, the ability of the person working on the floor to see the plaintiff before she exited the elevator, the safety plan related to replacing the flooring in the elevator lobby, the execution of the safety plan, the staffing of the construction job at the time of the plaintiff’s fall, warnings related to the work taking place in the elevator lobby, etc.
Status: Case Settled
Testimony: Verbal report and disclosure

Attorney: Clay Hornsby
        Morris, Haynes, Hornsby, Wheelels & Knowles
        3500 Colonnade Parkway
        Suite 100
        Birmingham, AL  35243
Side: Plaintiff
Description: This case involves the death of a motorist after he drove under a trailer that was part of a tractor-trailer attempting to cross a four-lane highway to re-enter an Interstate highway after getting off the Interstate at the wrong exit. This crash happened during hours of darkness.
Issues: The human factors issues include the visibility of the tractor and trailer, the time available to the tractor-trailer driver to cross the four-lane highway, the visibility of oncoming traffic to the tractor-trailer driver, the expectation of the passenger vehicle driver regarding the actions of the tractor-trailer driver, the complexity of the visual scene confronting the driver of the passenger vehicle, the perception-reaction time (PRT) of the driver of the passenger vehicle, etc.
Status: Case Settled
Testimony: Deposition
Expert Witness Summary - Maddox

Attorney: Michael Goldfarb
        Alan Goldfarb, PA
        100 SE 2nd Street
        Suite 4500
        Miami, FL  33131
Side: Plaintiff
Description: This case involves injuries incurred by a real estate agent when she fell at a transition between the foyer and sunken living room after she entered a house being held open for brokers and agents.
Issues: The human factors issues include the visibility of the vertical transition in the floor, the optical illusion caused by geometric floor tile, the lack of visual cues regarding the presence of the transition, the glance behavior of pedestrians in indoor spaces, the mechanism for falling over vertical transitions, etc.
Status: Trial Complete
Testimony: Deposition and trial

Case: Sedore v. Holden Brothers
Attorney: Joe Tunstall
        O’Malley Tunstall
        405 Main Street
        Tarboro, NC  27886
Side: Plaintiff
Description: This case involves injuries incurred by a customer of a produce store when she hit the corner of a wooden pallet supporting a produce display. The pallet was protruding approximately a foot into the aisle of the store and supported a large cardboard box containing watermelons. A crowd of customers had gathered around the display at the time of the injury.
Issues: The human factors issues include the visibility of the pallet, the hazard formed by the protruding pallet, the expectation of customers regarding walking hazards in the store, typical glance patterns of people walking on level surfaces, the effect(s) of other customers in the vicinity of the pallet, etc.
Status: Case Settled
Testimony: Deposition

Case: Klinkerman v. Sagestar, Inc.
Attorney: Carson Runge
        Sloan, Bagley, Hatcher & Perry
        101 East Whaley Street
        Longview, TX  75601
Side: Plaintiff
Description: This case involves injuries incurred by a paraplegic who drove his motorized wheelchair over a curb and onto a lower roadway surface while trying to enter the lobby of a hotel.
Issues: The human factors issues include the visibility of the curb, the placement of the sidewalk and curb relative to the handicapped parking area and the front entrance, the optical illusion formed by the curb and the adjacent sidewalk and driveway, the ability of the plaintiff to perceive the drop-off of the curb to the lower driveway, etc.
Status: Case Settled
Testimony: Expert report
Expert Witness Summary - Maddox

Case: Mittelsteadt v. OHM Bistro and Stephen Helms
Attorney: Carol Kendrick
    Huffman & Kendrick
    340 West Morgan Street
    Monroe, NC  28112
Side: Plaintiff
Description: This case involves the death of a bicyclist as the result of being struck by an automobile during hours of darkness. The bicyclist was riding on the very right edge of a rural, but well-lit highway. The motor vehicle driver was intoxicated and left the scene of the collision despite severe damage to his vehicle.
Issues: The human factors issues include the visibility of the bicyclist, the likelihood that the motor vehicle driver would be able to see the bicyclist with the prevailing ambient light, the behavior of both the bicyclist and the motor vehicle driver, and the likelihood that inebriation on the part of the motor vehicle driver contributed to the collision.
Status: Case Settled
Testimony: Verbal expert report

Case: Keaton v. Park Place Performing Arts
Attorney: Eric Richardson
    Oxner, Thomas & Permar
    1155 Revolution Mill Drive
    Studio 4
    Greensboro, NC  27405
Side: Plaintiff
Description: This case involves injuries sustained by an individual participating in a leadership exercise being conducted on the raised performance stage of a theatre.
Issues: The human factors issues include the nature of the inherent hazard presented by the raised stage, the loss of situation awareness by the individual who fell from the stage, the effectiveness of individuals monitoring the exercise, the likelihood that the immersive nature of the exercise would cause a loss of SA, etc.
Status: Case Settled
Testimony: Affidavit

Case: Strugala v. FB Contractors
Attorney: Steve Barnes
    Barnes Law Group
    110 11th St. North
    2nd Floor
    Tampa, FL  33602
Side: Plaintiff
Description: This case involves injuries sustained by an employee when she tripped and fell while entering her office building. Renovations to the floor of the entry floor were underway and masonite sheets had been placed over the floor to cover the work in progress.
Issues: The human factors issues include the compliance of the modified floor surface to established standards related to safe walking surfaces, the mechanism of the trip, the typical gaze patterns of people as they are walking, the attention of the individual who fell, the existence and visibility of vertical discontinuities on the flooring surface, etc.
Status: Trial Complete
Testimony: Deposition and trial
Case: Miller v. SCDOT
Attorney: Bill Hatfield
The Hyman Law Firm
170 Courthouse Square
Florence, SC 29503
Side: Plaintiff
Description: This case involves the deaths of the occupants of a vehicle that failed to stop at a stop-controlled, rural intersection at night. The vehicle was struck by another vehicle traveling on the major roadway.
Issues: The human factors issues include the visibility of the stop sign at the intersection, the sight distances available to the vehicles on the major and minor roads, the basis for state transportation officials to assume that vehicles would come to a full stop at the stop sign, alternate measures that could have been taken to increase compliance with the stop sign, alternate measures that could have been taken to increase sight distance to comply with applicable standards, etc.
Status: Case Settled
Testimony: Deposition

Case: Gaudio v. FEC
Attorney: Eric Leach
Milton, Leach, Whitman, D’Andrea & Eslinger
815 S. Main Street
Suite 200
Jacksonville, FL 32207
Side: Defendant
Description: This case involves injuries incurred by a motorist who drove her vehicle onto railroad tracks and got stuck while attempting to circumvent the protective crossing arms at a grade crossing. The incident happened during the very early morning hours in the middle of a major city.
Issues: The human factors issues include the visibility of the automobile to the train crew, the perception that the automobile was, in fact, stopped and stuck on the tracks, the perception of the driver that a train was approaching, the behavior and timeliness of escape actions of the automobile driver, the behavior and timeliness of braking actions on the part of the train crew, etc.
Status: Active
Testimony: Deposition

Attorney: Carl Varnedoe
Jones, Osteen & Jones
608 E. Oglethorpe Highway
Hinesville, GA 31313
Side: Plaintiff
Description: This case involves injuries incurred by a motorist whose vehicle struck the rear of a tractor-trailer pulling out of a driveway onto a major highway. The crash happened during hours of darkness.
Issues: The human factors issues include the visibility of the tractor-trailer (the trailer was a shipping container), the violation of typical gap acceptance times by the tractor-trailer driver, the ability of the tractor-trailer driver to see oncoming traffic, et.
Status: Case Settled
Testimony: Verbal expert report
Case: Pough v. Travelers Insurance
Attorney: Dan Cytryn
Cytryn & Velazquez
2825 North University Drive
Suite 350
Coral Springs, FL 33065
Side: Plaintiff
Description: This case involves injuries incurred by a motorist whose vehicle struck a passenger car that was disabled and stopped in a travel lane on a high-speed, limited access roadway. The stopped vehicle was disabled from a previous crash. The individuals involved in the previous accident and several people who stopped to assist were on the side of the roadway near the stopped vehicle.
Issues: The human factors issues include the visibility of the stopped automobile, the perception that the automobile was stopped, the hazard presented by the stopped vehicle, the perception-reaction time of the driver of the approaching vehicle, the contribution, if any, of the bystanders on the attention of the approaching driver, etc.
Status: Trial Completed
Testimony: Deposition

Case: May v. Western Dairy
Attorney: Andrew Perreault
Ferguson, Frost & Dodson
2500 Acton Road
Suite 200
Birmingham, AL 35243
Side: Defendant
Description: This case involves injuries to and the eventual death of a motorist whose vehicle struck the front of a tractor-trailer as the motorist was maneuvering in the tractor-trailer’s travel lane in a construction area.
Issues: The human factors issues include the actions of the driver of the passenger vehicle, the reactions of the tractor-trailer driver, the expectations of the tractor-trailer driver, etc.
Status: Case Settled
Testimony: Deposition

Case: Walker v. Westbrook
Attorney: John Davis
Baker, Donelson, Barman, Caldwell & Berkowitz
450 Laurel Street
20th Floor
Baton Rouge, LA 70801
Side: Defendant
Description: This case involves the deaths of two occupants of a vehicle that was struck from behind by a tractor-trailer. The struck vehicle was traveling very slowly in the travel lane of an interstate highway at night.
Issues: The human factors issues include the visibility of the slow-moving automobile, the perception that the automobile was traveling slowly, the hazard presented by the slow-moving vehicle, the perception-reaction time of the driver of the tractor-trailer, the contribution, if any, of fatigue on the part of the tractor-trailer driver, etc.
Status: Trial Completed
Testimony: Deposition
Attorney: Brent Stewart
Stewart Law Offices
1242 Ebenezer Road
Rock Hill, SC 29732
Side: Plaintiff
Description: This case involves the death of the driver of a passenger vehicle that struck the rear of a flatbed tractor-trailer carrying rebar. The rebar hung far enough over the back edge of the trailer as to droop to the level of the windshield of the passenger vehicle and the tractor-trailer was traveling very slowly at the time of the crash.
Issues: The human factors issues include the visibility of the rebar at the back of the tractor-trailer, the perception that the tractor-trailer was traveling slowly, the hazard presented by the slow-moving vehicle, the perception-reaction time of the driver of the passenger vehicle, the contribution, if any, of the state of the rebar at the time of the crash.
Status: Case Settled
Testimony: Disclosure report

Case: McNew v. Elloree Gin Co. and Richard Sumter
Attorney: Charles Williams, II
Williams & Williams
1281 Russell Street
Orangeburg, SC 29115
Side: Plaintiff
Description: This case involves the death of the driver of a passenger vehicle that struck a cotton module truck that was crossing a four-lane highway. The truck blocked both lanes of the highway in the direction the deceased driver was traveling. The crash happened at night.
Issues: The human factors issues include the visibility of the visibility both the module truck and the passenger vehicle, the hazard presented by the module truck crossing the highway, the perception-reaction time of the driver of the passenger vehicle, the violation of typical gap acceptance times by the module truck driver, etc.
Status: Case Settled
Testimony: Verbal report only
2012

Case: MacKinnon v. Woodland Resort & Inn
Attorney: Tom Taylor
   Law Office of Thomas C. Taylor
   22 Bow Circle, Suite A
   Hilton Head, SC 29928
Side: Plaintiff
Description: This case involves injuries incurred by a guest at a resort when she descended a stairway on which the steps were covered in a floral pattern carpet
Issues: The human factors issues include the ability of the guest to discern the edges of the individual steps in the staircase, the ability of floral-patterned carpet to camouflage step edges, the design of the staircase on which the plaintiff fell, typical gate and glance patterns for people descending stairs, the behavior of the plaintiff as she descended the stairs, etc.
Status: Case Settled
Testimony: Affidavit and Deposition

Case: Wofford v. SCDOT
Attorney: Tom Killoren
   Harrison, White, Smith & Coggins
   178 W. Main Street
   Spartanburg, SC 29306
Side: Plaintiff
Description: This case involves the death of a young pedestrian after she was struck by a motorist while attempting to cross a rural highway.
Issues: The human factors issues include the ability of both the pedestrian and motorist to see one another in the presence of vegetation that was growing close to the roadside, the typical behavior of pedestrians while crossing the street, the perception-reaction time of the motorist, the sight lines that would have been available had the roadside vegetation been cut back as required, etc.
Status: Case Settled
Testimony: Verbal expert report

Case: Spann v. Kroger
Attorney: Jon Peeler
   Attorney at Law
   401 Church St.
   29th Floor
   Nashville, TN 37219
Side: Plaintiff
Description: This case involves injuries sustained by a shopper at a Kroger store. The plaintiff tripped over an empty wooden pallet that had been left in the aisle adjacent to the dairy case
Issues: The human factors issues include the tripping hazard presented by the empty pallet, visibility of the vertical discontinuity, the expectation of the shopper that such a hazard would exist, the compliance of the Kroger store to established standards for safe walking surfaces, etc.
Status: Case Settled
Testimony: Verbal expert report
Expert Witness Summary - Maddox

**Case:** Meehan v. Magical Cruise Company  
**Attorney:** John Fulweiler  
Fulweiler, LLC  
150 Airport Street  
Second Floor  
Quonset Point, RI  02852  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by a passenger on a cruise ship when she stepped out of the bathroom in her suite. The threshold of the bathroom was raised above the level of the surrounding floor. The fall occurred on her first visit to her suite.  
**Issues:** The human factors issues include the visibility of the vertical discontinuity, the expectation of the passenger that such a discontinuity would exist, the compliance of the suite and bathroom floor design to established standards for safe walking surfaces, etc.  
**Status:** Case Settled  
**Testimony:** Verbal expert report  

**Case:** Nemes v. Vitran  
**Attorney:** Gerry Mitchell  
Stein, Mitchell, Muse and Cipollone  
1100 Connecticut Ave., N.W.  
Suite 1100  
Washington, DC  20036  
**Side:** Defendant  
**Description:** This case involves the deaths of passengers in a motor vehicle that was struck from the rear by a tractor-trailer. The crash occurred at night while the struck vehicle was moving very slowly in the travel lane of an Interstate highway.  
**Issues:** The human factors issues include the visibility of the automobile that was struck, the perceptual capabilities of the tractor-trailer driver, the ability of the tractor-trailer driver to appreciate the fact that the automobile was traveling so slowly, the perception-reaction time of the tractor-trailer driver, the expectations of the tractor-trailer driver, etc.  
**Status:** Case Settled  
**Testimony:** Expert report  

**Case:** Hottel v. Associations, Inc.  
**Attorney:** Kevin Mercer  
Wicker Smith  
50 N. Laura Street  
Suite 2700  
Jacksonville, FL  32202  
**Side:** Defendant  
**Description:** This case involves injuries sustained by a bicyclist when he lost control of his bicycle and struck a culvert after crossing a condo entrance. The impact occurred at night.  
**Issues:** The human factors issues include the visibility of the visibility of the curb at the condo entrance, the effects of a bicycle headlight, had one been present, the visibility of the crosswalk markings at the condo entrance, the likely speed of the bicycle, etc.  
**Status:** Case Settled  
**Testimony:** Verbal expert report
Case: Sirmans v. McDonalds  
Attorney: Justin Studstill  
   Studstill Law Firm  
   311 North Patterson Street  
   Suite A  
   Valdosta, GA 31601  
Side: Plaintiff  
Description: This case involves injuries incurred by a woman who tripped over uneven seams in a drive-thru lane while exiting a McDonalds to return to her car.  
Issues: The human factors issues include the visibility of the curb at the surface irregularity, typical glance behavior of pedestrians, visual attention directed to traffic in the drive-thru, expectations of pedestrians crossing the drive-thru, etc.  
Status: Case Settled  
Testimony: Verbal expert report  

Case: Kovanic v. Honickman  
Attorney: David Templer  
   Templer & Hirsch  
   20801 Biscayne Blvd  
   Suite 400  
   Aventura, FL 33180  
Side: Plaintiff  
Description: This case involves injuries sustained by a bicyclist when he was struck by automobile in a residential area. The impact occurred near the end of twilight. The vehicle that struck the bicyclist was driving relatively slowly and using high-beam headlights. The area in which the crash occurred is frequented by pedestrians and bicyclists.  
Issues: The human factors issues include the visibility of the bicyclist, the perceptual capabilities of the automobile driver, the perception-reaction time of the driver, the expectations of the driver, etc.  
Status: Case Settled  
Testimony: Verbal expert report  

Case: Corcoran v. Tartamella  
Attorney: Ryan Hutson  
   Law Offices of Cytryn and Velazquez  
   2925 North University Drive  
   Suite 350  
   Coral Springs, FL 33065  
Side: Plaintiff  
Description: This case involves injuries sustained by a driver who struck another vehicle that was stopped across his lane of travel at twilight.  
Issues: The human factors issues include the visibility of the stopped automobile, the hazard presented by the stopped vehicle in the travel lane, the perception-reaction time of the driver of the oncoming vehicle, the contribution, if any, of distraction on the part of the oncoming driver, etc.  
Status: Case Settled  
Testimony: Deposition
Case: Damisse v. Port Consolidated
Attorney: John Alpizar
   Alpizar Law
   1528 Palm Bay Road, NE
   Palm Bay, FL 32905
Side: Plaintiff
Description: This case involves the death of a motorist who was struck from behind while traveling very slowly in the travel lane of an Interstate highway. The motorist’s vehicle was struck by a truck that was traveling closely behind another truck that changed lanes at the last moment before the collision.
Issues: The human factors issues include the visibility of the stopped automobile, the hazard presented by the stopped vehicle in the travel lane, the ability of both oncoming drivers to recognize that the slow vehicle was traveling so slowly, the limitations on the view of the slow vehicle to the second oncoming driver because of his proximity to the vehicle in front of him, the perception-reaction time of the driver of the oncoming vehicle, etc.
Status: Case Settled
Testimony: Affidavit

Case: Ward v. Weinstein
Attorney: Charles Watkins
   Kubicki Draper
   25 West Flagler Street
   Penthouse
   Miami, FL 33130
Side: Defendant
Description: This case involves the death of a pedestrian who was crossing a multi-lane thoroughfare during hours of darkness.
Issues: The human factors issues include the visibility of the pedestrian and the visibility of the vehicle that struck the pedestrian, the expectation of the vehicle driver with respect to pedestrians crossing at the location of the collision, the perception-reaction time of the vehicle driver, etc.
Status: Case Settled
Testimony: Consultation only

Case: Tulbert v. Pine Log Company Trucking
Attorney: Fred Barbour
   Cloninger, Barbour, Searson & Jones
   21 Battery Park Avenue
   Suite 201
   Asheville, NC 28801
Side: Plaintiff
Description: This case involves injuries incurred by the driver of a passenger vehicle that collided with the rear of a flatbed lumber truck that was backing on a two-lane road during hours of darkness.
Issues: The human factors issues include the visibility of the tractor-trailer, the perception that the tractor-trailer was stopped/backing up, the hazard presented by the tractor-trailer, the perception-reaction time of the driver of the passenger vehicle, etc.
Status: Case Settled
Testimony: Consultation only
Case: Cutler v. PB&J Automotive  
Attorney: Joe Tunstall  
   O’Malley Tunstall  
   405 Main Street  
   Tarboro, NC  27886  
Side: Plaintiff  
Description: This case involves injuries incurred by a customer who fell after stepping into a depression in the paving of a car lot. The depression was very close to one of the “for sale” cars in the lot.  
Issues: The human factors issues include the visibility of the depression/pothole, the typical mechanism of pedestrian tripping, the hazard presented by the pothole, etc.  
Status: Case Settled  
Testimony: Consultation only

Case: Buchanan v. C.R. Jackson, et al.  
Attorney: Bill Hatfield  
   The Hyman Law Firm  
   170 Courthouse Square  
   Florence, SC  29503  
Side: Plaintiff  
Description: This case involves the death of a passenger who was riding in a pickup truck driven by his grandfather. The truck left the right side of a newly paved section of two-lane road at night, came back across the highway and overturned. The passenger was ejected during the rollover.  
Issues: The human factors issues include the visibility of the right edge of the roadway, which was not marked with a fog line, the glance pattern of typical drivers in curves, the attentiveness of the driver, and typical driver performance during nighttime conditions.  
Status: Case Settled  
Testimony: Deposition

Case: Zobel v. USAA  
Attorney: Marcia Davis  
   Bice Cole Law Firm  
   15316 NW 140th Street  
   Alachua, FL  32616  
Side: Defendant  
Description: This case involves the death of a motorist who struck the rear of a loaded logging truck that was turning off a major highway at night.  
Issues: The human factors issues include the visibility of the logging truck, the ability of the approaching driver to perceive that the lead vehicle was, indeed, turning, the visibility of the logs that were overhanging the rear of the logging truck, the presence or absence of distractions, the hazard presented by the driver of the lead vehicle, and the perception-reaction time (PRT) of the approaching driver.  
Status: Case Settled  
Testimony: Consultation only
Attorney: Matt Sullivan
White & Allen
106 S. McLewean Street
Kinston, NC  28502
Side: Plaintiff
Description: This case involves the death of a motorist who struck the rear corner of a roll-on wrecker that was parked partially in the travel lane of a 4-lane highway at night.
Issues: The human factors issues include the visibility of the stopped wrecker, the ability of the approaching driver to perceive that the lead vehicle was, indeed, stopped, the presence or absence of distractions, the hazard presented by the driver of the lead vehicle, the perception-reaction time (PRT) of the approaching driver, and the decision of the lead vehicle driver to stop in a travel lane.
Status: Case Settled
Testimony: Preliminary report for mediation conference

Case: Valentin v. Mears
Attorney: Sean Domnick
Domnick & Shevin
5100 PGA Boulevard
Suite 317
Palm Beach Gardens, FL  33418
Side: Plaintiff
Description: This case involves injuries received by a Disney coach driver when he struck the rear of another coach stopped in a travel lane near the entrance to Epcot. No emergency triangles or other warning devices were deployed behind the stopped bus.
Issues: The human factors issues include the visibility of the stopped bus, the ability of the approaching driver to perceive that the lead vehicle was, indeed, stopped, the presence or absence of distractions, the hazard presented by the driver of the lead vehicle, and the decision of the lead coach driver to stop in a travel lane.
Status: Trial Complete
Testimony: Deposition and Trial

Case: Ambrose v. Target Corporation
Attorney: Harry Albritton
Dawson & Albritton
1516 Greenville Blvd, SE
Greenville, NC  27835
Side: Plaintiff
Description: This case involves injuries a shopper in a Target store when she tripped over the base of a merchandise end cap. The base of the end cap did not contain any merchandise at the time.
Issues: The human factors issues include the visibility of the end-cap base, the most common tripping mechanism, the hazard presented by the empty base of the end cap, the visual contrast between the end cap and the surrounding floor, and the attention being paid by the injured person.
Status: Case Settled
Testimony: Deposition
**Expert Witness Summary - Maddox**

**Case:** Kraveka v. Sodexo  
**Attorney:** Andrew Gowdown  
Rosen, Rosen & Haygood  
151 Meeting Street  
Suite 400  
Charleston, SC 29401  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by a patron of a hospital cafeteria when she slipped and fell due to stepping on a clear liquid on the floor.  
**Issues:** The human factors issues include the visibility of the liquid, the expected glance patterns for the customer as she was walking, the mechanism of her slip and fall, the likelihood of avoiding the fall after the slip, the processes by which the cafeteria staff monitor slip hazards, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Whiddon v. CSX Railroad  
**Attorney:** Michael Milton and Eric Leach  
Milton, Leach, Whitman, D’Andrea & Eslinger  
815 S. Main Street  
Suite 200  
Jacksonville, FL 32207  
**Side:** Defendant  
**Description:** This case involves the death of a 17-year-old male who was fishing with friends on an active railroad trestle spanning a wide creek near the city of Jacksonville, FL. The three young men attempted to run to the far end of the trestle when the train approached. Two of them made it off the trestle. The third young man was struck as he jumped to the ground.  
**Issues:** The human factors issues include the visibility of the young men on the trestle from the farthest point of view of the train crew (approximately 2000 feet), the ability of the train crew to discern whether the objects they saw on the trestle were people or animals and the effects of expectation and stress on the perceptions and actions of the train crew and the young men on the trestle.  
**Status:** Trial Complete  
**Testimony:** Deposition and Trial

**Case:** Jones v. Mystic Carpet, et al.  
**Attorney:** Stan Speckhard  
Alexander, Ralston, Speckhard & Speckhard  
100 South Elm Street  
Suite 320  
Greensboro, NC 27401  
**Side:** Plaintiff  
**Description:** This case involves injuries received by a homeowner when she tripped over a roll of carpet backing material left in her driveway by a work crew. The incident occurred at night in the homeowner’s driveway.  
**Issues:** The human factors issues include the visibility of the object left in the driveway, the ambient light levels in and around the location of the object, the effects of large differences in scene illumination and shadowing, common tripping mechanisms for pedestrians, glance patterns that are typical of pedestrians, and the odds of recovering from a trip before falling to the ground.  
**Status:** Case Settled  
**Testimony:** Deposition
**Expert Witness Summary - Maddox**

**Case:** Hutchinson v. City of Charlotte, NC  
**Attorney:** Scott Rizzo  
The Rizzo Law Firm  
15720 John J. Delaney Driver  
Suite 300  
Charlotte, NC  28277  
**Side:** Plaintiff  
**Description:** This case involves injuries received by a pedestrian when she tripped over a raised concrete pedestal at a light rail station. The pedestal was installed for an unknown reason in the midst of an outside walking/waiting area of the station.  
**Issues:** The human factors issues include the visibility of the raised platform, the actual vertical displacement of the raised platform, common tripping mechanisms for pedestrians, glance patterns that are typical of pedestrians, and the odds of recovering from a trip before falling to the ground.  
**Status:** Case Settled  
**Testimony:** Verbal expert report

**Case:** Brock v. Adams  
**Attorney:** Jay Tobin  
Young Moore and Henderson  
PO Box 31627  
Raleigh, NC  27622  
**Side:** Defendant  
**Description:** This case involves injuries received by a pedestrian while walking in the edge of a travel lane (facing traffic) on a two-lane road on the outskirts of Greenville, NC. The pedestrian was wearing dark clothing and the incident occurred near the end of civil twilight.  
**Issues:** The human factors issues include the visibility of the pedestrian with low-beam headlights, the level of ambient light in the area of the collision, the expectation of the driver of the vehicle that struck the pedestrian, the availability of walking paths outside the travel lane, and the ability of the pedestrian to see the oncoming vehicle that struck him.  
**Status:** Case Settled  
**Testimony:** Verbal expert report

**Case:** Joyce (Richard) v. P&M Trucking, et al.  
**Attorney:** Justin Studstill  
Studstill Law Firm  
311 North Patterson Street  
Suite A  
Valdosta, GA  31204  
**Side:** Plaintiff  
**Description:** This is the last of three cases involving multiple deaths as a result of a tractor-trailer striking the rear of a mule-drawn wagon on a rural four-lane highway during daylight hours.  
**Issues:** The human factors issues include the visibility of the mule-drawn wagon, the sight lines of the tractor-trailer driver, the visibility of multiple slow-moving vehicle (SMV) symbols, and driver inattention and distraction.  
**Status:** Case Settled  
**Testimony:** Consultation only
**Case:** Mosley v. Dean and Lucas  
**Attorney:** Luther Battiste  
   Johnson, Toal & Battiste  
   1615 Barnwell Street  
   Columbia, SC 29201  
**Side:** Plaintiff  
**Description:** This case involves the death of a motorist after she struck the rear corner of a flatbed vehicle carrier turning left from a center turning lane. The rear edge/corner of the carrier intruded on the travel lane of the motorist during the turn. The crash happened at night in a mixed business and residential area on the outskirts of Columbia, SC.  
**Issues:** The human factors issues include the visibility of the rear edge of the flatbed vehicle carrier, the ambient lighting in the area of the crash, the typical glance patterns of motorists in similar situations, the pedestrian and bicycle traffic in the area of the crash and their effects on motorists’ glance patterns, and the behavior of the truck driver in configuring the flatbed carrier.  
**Status:** Case Settled  
**Testimony:** Rule 26 Report and Deposition

**Case:** Poutier v. UniFirst and E&B of Charlotte  
**Attorney:** Ben Eagles  
   Narron & Holdford  
   204 North Tarboro Street  
   Wilson, NC 27894  
**Side:** Plaintiff  
**Description:** This case involves injuries sustained by an individual who tripped and fell while leaving a restaurant. The supposition is that the patron tripped on an entry mat located in a vestibule of the restaurant.  
**Issues:** The human factors issues include the location and composition of the entry mat, typical human gait while walking, typical trip mechanism while walking on the flat, visual glance patterns while walking, and the opportunity to recover from a trip before a complete fall occurs.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Rodd v. USF Holland  
**Attorney:** Andrew Fitzgerald  
   Strauch Fitzgerald & Green  
   118 South Cherry Street  
   Winston-Salem, NC 27101  
**Side:** Defendant  
**Description:** This case involves injuries sustained by the passenger in a vehicle that was struck from behind by a tractor-trailer. The struck vehicle was traveling well below the speed limit on an Interstate highway during the very early morning hours.  
**Issues:** The human factors issues include the behavior of both drivers, the ability of a following driver to judge the speed of a slower lead vehicle, the perception-reaction time of the following driver, typical driver glance and scanning behavior, and the judgment of the lead driver.  
**Status:** Trial Complete  
**Testimony:** Expert Report
Case: Roberts v. Coley  
Attorney: Carma Henson  
Henson & Fuerst  
2501 Blue Ridge Road  
Raleigh, NC  27607  
Side: Plaintiff  
Description: This case involves injuries incurred by a motorist when she struck a farm combine that was pulling into a two-lane roadway at dusk.  
Issues: The human factors issues include the behavior of the combine driver, the visibility of the combine to the approaching motorist, the sight distance of the combine and automobile drivers, the perception-reaction time of the motorist, and the ability of the combine driver to safely pull onto the highway in a curve.  
Status: Case Settled  
Testimony: Video report for settlement conference

Case: Spencer v. Henderson and Key Logistics  
Attorney: Kevin Williams  
Comerford & Britt  
250 West First Street, Suite 200  
Winston-Salem, NC  27101  
Side: Plaintiff  
Description: This case involves the death of a motorist who drove beneath a trailer as the T-T driver was crossing both lanes of traffic while turning left onto the other two lanes of a four-lane highway.  
Issues: The human factors issues include the behavior of the T-T driver as he pulled across the highway, the advisability of the decision made by the T-T driver to pull out into the roadway, the visibility of the oncoming car and the T-T, the effects of disability glare on the ability of the deceased driver to see and appreciate the hazard posed by the T-T, etc.  
Status: Case Settled  
Testimony: Deposition

Attorney: Phillip Sequi  
Sequi Law Firm  
864 Lowcountry Blvd.  
Mt. Pleasant, SC  29464  
Side: Plaintiff  
Description: This case involves injuries sustained by an individual who fell on the interior stairs of a rental beach house. The stairs had an unusual landing design without handrails.  
Issues: The human factors issues include the design of the stairs and the handrail, typical human gait while descending stairs, typical trip mechanism while descending stairs, visual glance patterns while descending stairs, and the opportunity to recover from a trip before a complete fall occurs.  
Status: Case Settled  
Testimony: Consultation only
Case: Bynum v. Wilson County, NC
Attorney: Ben Eagles
Narron & Holdford
204 North Tarboro Street
Wilson, NC 27894
Side: Plaintiff
Description: This case involves injuries sustained by an individual who fell on the front steps of the Wilson County Government Building in Wilson, NC
Issues: The human factors issues include the design of the stairs and the handrail, typical human gait while descending stairs, typical trip mechanism while descending stairs, visual glance patterns while descending stairs, and the opportunity to recover from a trip before a complete fall occurs.
Status: Case Settled
Testimony: Deposition

Case: Abshire v. Illovia Investments
Attorney: Charlie Douglas
Harrell & Harrell
4735 Sunbeam Road
Jacksonville, FL 32257
Side: Plaintiff
Description: This case involves injuries sustained by an employee of the city utility company in a fall down a flight of stairs at a rental apartment building.
Issues: The human factors issues include the design of the stairs and the handrail, typical human gait while descending stairs, typical trip mechanism while descending stairs, visual glance patterns while descending stairs, and the opportunity to recover from a trip before a complete fall occurs.
Status: Case Settled
Testimony: Consultation only
2011

Case: Stephenson v. Byrd Transportation and Dixon
Attorney: Meghan Knight
    Cranfill, Sumner & Hartzog
    5420 Wade Park Blvd.
    Suite 300
    Raleigh, NC  27607
Side: Plaintiff
Description: This case involves the death of a passenger in an automobile that struck the rear of a tractor-trailer stopped in a travel lane of an interstate highway during rush hour. The driver of the truck stopped due to an earlier incident, although the vehicle was fully operational.
Issues: The human factors issues include driver expectations, visual perception of stopped lead vehicles, driver glance behavior, perception-reaction time, situation awareness, the effects of fatigue on driving performance, etc.
Status: Active
Testimony: Deposition

Case: Jordan v. Hart Transportation and Morris Taylor
Attorney: Seth Pajcic
    Pajcic & Pajcic
    One Independent Drive
    Suite 1900
    Jacksonville, FL  32202
Side: Plaintiff
Description: This case involves injuries received an SUV driver when his vehicle was struck in the rear by a tractor-trailer. The crash occurred on an Interstate highway in an urban area. The driver of the tractor-trailer was likely distracted by cell phone use at the time of the crash. The tractor-trailer driver was also likely fatigued at the time of the crash.
Issues: The human factors issues include driver expectations, visual perception of slower lead vehicles, the effects of cell phone use on driving performance, perception-reaction time, situation awareness, the effects of fatigue on driving performance, etc.
Status: Active
Testimony: Deposition

Case: Ball v. Ferraro Lawn Service & Seth Coleman
Attorney: Curry Pajcic
    Pajcic & Pajcic
    One Independent Drive
    Suite 1900
    Jacksonville, FL  32202
Side: Plaintiff
Description: This case involves injuries received by an automobile driver when her vehicle was struck in the rear by a lawn service truck. The crash occurred in the transition area of a major highway, as it became a surface street. The driver of the lawn service truck was likely distracted by cell phone use at the time of the crash.
Issues: The human factors issues include driver expectations, visual perception of slower lead vehicles, the effects of cell phone use on driving performance, perception-reaction time, situation awareness, etc.
Status: Case Settled
Testimony: Consultation only
Case: Couch v. Lipps, et al.  
Attorney: Larry Roberts  
The Roberts Law Firm  
106 Pinnacle Drive  
Suite 108  
Johnson City, TN  37615  
Side: Plaintiff  
Description: This case involves the death of a tire technician who was attempting to place a hydraulic jack under the front axle of a large tour bus. The “kneeling” system of the bus was activated while the technician was beneath the bus. He was crushed by the bus and died.  
Issues: The human factors issues include automatic, unintentional actions by the bus driver in the sequence of events leading to the engagement of the kneeling system, the ability of the driver and an employee who was cleaning the bus to see the tire technician as he was placing the jack, and the most likely sequence of events leading to the death of the tire technician.  
Status: Case Settled  
Testimony: Expert report

Case: Strickland v. DAE Industries  
Attorney: Jim Roberts  
Lewis & Roberts  
3700 Glenwood Avenue  
Suite 410  
Raleigh, NC  27612  
Side: Plaintiff  
Description: This case involves the death of an aviation maintenance technician who fell through an opening in an elevated work platform.  
Issues: The human factors issues include the latent hazard present in the platform, the visibility of the hazard from beneath the platform, the expectations of AMT’s setting up the platform, the absence of a user’s or operation manual for the platform, warnings related to the hidden fall hazard, common practices of workers with respect to fall protection, etc.  
Status: Active  
Testimony: Deposition

Case: King v. Gaylord and IKON  
Attorney: Julie Peak  
Ortale, Kelly, Herbert & Crawford  
200 Fourth Avenue North  
Third Floor, Noel Place  
Nashville, TN  37219  
Side: Plaintiff  
Description: This case involves injuries incurred by a guest of the Gaylord Grand Ole Opry Hotel while exiting an IKON business center located in the hotel. The guest (plaintiff) tripped on an empty wooden pallet that had been left just outside the doors of the business center. When the guest left the business center and began to turn left into a heavily traveled corridor, she tripped and fell over the pallet. The pallet was not present when the guest entered the business center and stayed for about 20 minutes.  
Issues: The human factors issues include the ability of the guest to perceive the presence of the pallet, typical trip mechanisms during human ambulation, typical gaze patterns during walking, whether the pallet presented a tripping hazard, regulations and standards regarding obstacles in walking paths, etc.  
Status: Case Settled  
Testimony: Deposition
Case: Hutchison v. Republic Services  
Attorney: Dan McCranie  
Daniel I. McCranie  
26 South 5th Street  
Fernandina Beach, FL 32034  
Side: Plaintiff  
Description: This case involves a rear-end collision between a passenger vehicle and a slowed or stopped garbage truck. The crash occurred on the uphill portion of the Dames Point Bridge near Jacksonville, FL. The garbage truck, traveling in the middle lane of three slowed and then stopped on the uphill section of the bridge. The plaintiff struck the rear of the garbage truck just before or just after it stopped.  
Issues: The human factors issues include the ability of the oncoming driver to perceive that the garbage truck was nearly stopped, the perception-reaction time of the oncoming driver, the actions of the driver of the garbage truck, and others.  
Status: Case Settled  
Testimony: Video statement

Case: Weiss v. Kiewit Southern  
Attorney: Joe Gillin, Jr.  
Gillin & Gillin  
780 South Apollo Blvd  
Suite 102  
Melbourne, FL 32901  
Side: Plaintiff  
Description: This case is one of two stemming from the same incident. An Interstate highway interchange was under construction and the construction company (the defendant) placed temporary concrete barriers at the right edge of the highway. Through a series of incidents, an individual hit the attenuator at the end of the concrete barriers, spun around, and wound up on the left side of the highway. Another vehicle (driven by the plaintiff) struck that disabled vehicle. The crash happened during the early morning hours when it was still dark.  
Issues: The human factors issues include the ability of the oncoming driver to see and avoid the disabled vehicle, the ability of other vehicles to see and avoid the temporary concrete barriers, and other factors related to visual perception and driver behavior in the vicinity of the attenuator and the concrete barriers.  
Status: Case Settled  
Testimony: Consultation only

Case: Drafts v. Sanford and Valley Proteins, et al.  
Attorney: Paul Detrick  
Peters, Murdaugh, Parker, Eltzroth & Detrick  
101 Mulberry Street East  
Hampton, SC 29924  
Side: Plaintiff  
Description: This case concerns a trailer under-ride crash. The crash occurred when the driver of a heavily loaded tractor-trailer attempted to make a left turn onto a two-lane highway from a side road. The intersection had limited sight distance and was at the foot of a hill on the main highway. The crash occurred at night. The plaintiff crested the hill on the main highway and despite braking efforts under-rove the trailer, which was blocking both lanes of travel.  
Issues: The human factors issues include, but are not limited to, the ability of the tractor-trailer driver to safely make the left turn he was attempting, the ability of the oncoming driver to see tractor-trailer and to appreciate the fact that the trailer blocked his lane of travel, disability glare
caused by the headlights of the tractor-trailer, the expectation of the oncoming driver with respect to what he was seeing, and the perception-reaction time of the oncoming driver.

**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Knight v. Wells Fargo  
**Attorney:** Rene Dukes  
Rosen, Rosen & Hagood  
134 Meeting Street  
Suite 200  
Charleston, SC  29401  
**Side:** Plaintiff  
**Description:** This case concerns the trip and fall of a bank customer. The fall occurred when the customer stepped on the shoulder of a curb-cut handicap access ramp leading to the parking lot.  
**Issues:** The human factors issues include the design, placement, and construction of the curb-cut ramp, the ability of pedestrians to see and perceive the sloped shoulders of the ramp, common tripping mechanisms, the effects of age on pedestrian falls, the visibility of the sloped ramp shoulders, etc.  
**Status:** Case Settled  
**Testimony:** Rule 26 expert report

**Case:** Fritts v. Lane Construction, et al.  
**Attorney:** Lee Davis  
Davis & Hamrick  
635 West Fourth St.  
Winston-Salem, NC  27120  
**Side:** Defendant  
**Description:** This case concerns a rear-end collision between a motorist and a car stopped at the back of a queue leading to a highway construction area with closed lanes.  
**Issues:** The human factors issues include the effectiveness of signage related to highway construction areas, the ability of motorists to see and perceive stopped vehicles in front of them, driver behavior, perception-reaction time, relative risks of daytime versus nighttime highway construction, etc.  
**Status:** Case Settled  
**Testimony:** Expert report

**Case:** Shepard v. Trouille Brothers Timber  
**Attorney:** Michael Moran  
Pajcic & Pajcic  
One Independent Drive  
Suite 1900  
Jacksonville, FL  32202  
**Side:** Plaintiff  
**Description:** This case concerns the death of a driver who crashed into the back of a logging truck during nighttime hours.  
**Issues:** The human factors issues include the overall visibility of the logging truck to motorists approaching from behind, the ability of drivers to see and appreciate that leading vehicles are going more slowly than themselves, the use of taillight separation as distance cues, and the visual cues provided by a flashing yellow marker light.  
**Status:** Case Settled  
**Testimony:** Affidavit
Expert Witness Summary - Maddox

Case: Chace v. Bryant, et al.
Attorney: Sanford Thompson
Sanford Thompson, PLLC
4800 Six Forks Road
Suite 100
Raleigh, NC  27609
Side: Plaintiff
Description: This case concerns the collision of a tractor-trailer driven by the plaintiff into the rear of a trailer (driven by defendant Bryant) that was stopped in the middle travel lane of an Interstate highway. This crash happened during hours of darkness. A Highway Patrol vehicle was stopped on the right shoulder of the highway with his flashing warning lights operating at the time of the crash.
Issues: The human factors issues include the sight lines available to the plaintiff as he approached the stopped vehicle, the ability of the approaching driver to perceive that the stopped tractor-trailer was, in fact, stopped, distraction posed by the flashing emergency lights of the police vehicle, the perception-reaction and decision times of the driver of the approaching vehicle, etc.
Status: Case Settled
Testimony: Expert report

Case: Winstead v. First Venture
Attorney: Dan Titsworth
Ledbetter & Titsworth
1135 Kildaire Farm Road
Cary, NC  27511
Side: Plaintiff
Description: This case concerns injuries sustained by a restaurant patron who is confined to a wheelchair. While moving to the entrance of a restaurant from a handicapped-parking area, his wheelchair fell from a raised sidewalk into a parking lot.
Issues: The human factors issues include the lighting in the parking area for the restaurant, the placement, geometry, and marking of the handicapped-access ramp in the parking area, and the ability of the plaintiff to perceive the edge of the raised sidewalk.
Status: Case Settled
Testimony: Deposition

Case: Burkhart v. Target Corporation
Attorney: Holt Harrell
Harrel & Harrell
4735 Sunbeam Road
Jacksonville, FL 32257
Side: Plaintiff
Description: This case concerns injuries sustained by a Target store patron when the motorized shopping cart on which she was riding fell over when moving from the handicapped access ramp at the front of the store to the parking lot.
Issues: The human factors issues include the perceived stability of the motorized shopping cart, the advisability of using the cart outside the store, the visibility of the sloped shoulders of the handicapped access ramp, and the ability of handicapped individuals to safely use motorized shopping carts without instruction.
Status: Active
Testimony: Rule 26 expert report
Case: Ham v. Sparrow
Attorney: John Clark
        The Clark Law Firm
        22 East Liberty St.
        Sumter, SC  29150
Side: Plaintiff
Description: This case concerns the death of the driver of a car that struck an oversize load on a flatbed truck while going in the opposite direction on a rural two-lane highway. The crash happened during daylight hours on a curve.
Issues: The human factors issues include the visual warnings placed on the oversize load, the positioning of the oversize load in the roadway at the point of impact, the visibility of the edges of the oversize load, and the perspective of the automobile driver as he approached the oversize load on a curve.
Status: Case Settled
Testimony: Deposition

Case: Casey v. Badin Inn
Attorney: Jon Moore
        Brown Moore & Associates
        930 East Boulevard
        Charlotte, NC  28203
Side: Plaintiff
Description: This case concerns injuries sustained by a guest who was staying in a condo at the Badin Inn. He fell on the steps while descending from his third-floor room to the ground floor. It is alleged that a piece of the stair nosing broke off when he stepped on it.
Issues: The human factors issues include the manner in which people normally descend stairs, including visual behavior, the ability of a typical person to see defects in the stair nosing, the likelihood of recovering from a stairway fall once it is initiated, the design and construction of the stairs, and the level of stair maintenance at the time of the plaintiff’s fall.
Status: Case Settled
Testimony: Deposition
2010

**Case:** Huckleby v. Masters, Lee, and Crumbley  
**Attorney:** William Stone  
Boyd & Jenrette  
201 North Hogan Street  
Suite 400  
Jacksonville, FL  32202  
**Side:** Defendant (Crumbley)  
**Description:** This case concerns injuries sustained by a passenger in a vehicle driven by one of the defendants (Crumbley) when that vehicle struck a loaded log truck making a U-turn on a four-lane highway during hours of darkness.  
**Issues:** The human factors issues include the ability of the truck driver to safely make the U-turn maneuver at the location of the crash, the sight lines available to the truck and passenger vehicle drivers, the gap acceptance behavior of the truck driver, the perception-reaction and decision times of the driver of the passenger vehicle, etc.  
**Status:** Trial Completed  
**Testimony:** Deposition and Trial (State Court)

**Case:** Wynne v. Royal Tours, et al.  
**Attorney:** Dana Hoffman  
Young Moore and Henderson  
3101 Glenwood Avenue  
Suite 200  
Raleigh, NC 27612  
**Side:** Defendant  
**Description:** This case concerns injuries sustained by a passenger on a tour bus that collided with a tractor-trailer pulling out of a small road onto a two-lane road in a rural area. The crash happened during hours of darkness.  
**Issues:** The human factors issues include the visibility of the tour bus and the tractor-trailer, the sight distance available to the driver of the tractor-trailer, the gap acceptance time that pertained to the tractor-trailer driver, the perception-reaction time of the bus driver, and the judgment of the tractor-trailer driver.  
**Status:** Case Settled  
**Testimony:** Consultation only

**Case:** Rosegreen v. BP  
**Attorney:** Don Mason  
Clark, Robb, Mason, Coulombe & Buschman  
19 W. Flagler Street  
14th Floor  
Miami, FL  33130  
**Side:** Defendant  
**Description:** This case concerns injuries sustained by an individual entering the convenience store at a BP gasoline station. The allegation is that the plaintiff tripped over a curb in front of the entrance to the convenience store.  
**Issues:** The human factors issues include the visibility of the curb, the lighting in the vicinity of the entrance at the time of the plaintiff’s fall, the visual behavior of people as they’re walking, and the typical mechanism(s) of tripping and falling.  
**Status:** Attorney changed, released from engagement  
**Testimony:** Consultation only
Case: Estate of Medina v. Seaboard and Port of Miami
Attorney: Eric Gressman
Miami Dade County Attorney’s Office
111 NW 1st. St.
Suite 2810
Miami, FL 33128
Side: Defendant
Description: This case concerns an individual working at the Port of Miami who was struck and killed by a large forklift-like device (called a toploader) while he was working to offload a container ship.
Issues: The human factors issues include the visibility of the pedestrian, the general level of risk to pedestrians in the work environment, the sight lines of the equipment driver, the general ambient lighting at the time of the incident, the role of temporary concrete barriers in requiring the attention of the equipment operator, the behavior of the equipment operator, etc.
Status: Case Settled
Testimony: Consultation only

Case: Estate of Salter v. Food Lion, et al.
Attorney: Julie Bell
Patterson Dilthey
4020 WestChase Blvd, Suite 550
Raleigh, NC 27607
Side: Defendant
Description: This case concerns a tractor-trailer that struck a passenger car that was stopped or backing in the right travel lane of an interstate highway at dawn.
Issues: The human factors issues include the visibility of the passenger vehicle, the ability of the tractor-trailer driver to appreciate that the passenger vehicle was, in fact, stopped, the behavior of the drivers of the two vehicles, the perception-reaction time of the tractor-trailer driver, etc.
Status: Trial Completed
Testimony: Deposition and Trial (State Court)

Case: Bedell v. Elveus and Courier Center
Attorney: Michael Kirby
High Stack Gordon
525 E. Strawbridge Avenue
Melbourne, FL 32901
Side: Plaintiff
Description: This case concerns a pedestrian who was struck and injured in a parking lot by a delivery van backing out of a parking space. The van had no visibility to the back and the pedestrian’s walking path took him behind the van.
Issues: The human factors issues include the visibility of the pedestrian from the van driver’s position, the ability of the pedestrian to see, hear, and understand that the van was about to back up, the alternative delivery locations available to the van driver, the behavior of both the driver and pedestrian, and the design of the parking areas and walking paths in the parking lot.
Status: Case Settled
Testimony: Deposition
Case: Shames v. Celebrity Cruise Lines
Attorney: Steve Cain
   Stewart Tilghman Fox & Bianchi
   One Southeast Third Avenue, Suite 3000
   Miami, FL  33131
Side: Plaintiff
Description: This case concerns a cruise ship passenger who fell while negotiating a step-down into a bar/restaurant area on the ship.
Issues: The human factors issues include the visibility of step-down, visual cues regarding the presence of the step down, the mechanism of falling when encountering an unexpected step, the design of the step-down, and the overall behavior of the plaintiff in encountering and negotiating the step-down.
Status: Case Settled
Testimony: Consultation only

Attorney: P. Alexander Gillen
   Didier Law Firm
   1203 North Orange Avenue
   Orlando, FL  32804
Side: Plaintiff
Description: This case involves a tractor and dual trailer combination vehicle that ran into the back of another tractor-trailer that was traveling between 20-30 mph in the right travel lane of an interstate highway. The crash happened in the early morning hours. The driver of the striking vehicle died in the crash. The plaintiffs represent the estate of the driver who died.
Issues: The human factors issues include the visibility of the lead trailer, expectations of the plaintiff, the complexity of the visual scene, the ability of the approaching driver to judge that the tractor-trailer was going significantly slower than prevailing traffic, and the perception-reaction time of the plaintiff.
Status: Trial Complete
Testimony: Deposition and Trial (Federal Court)

Case: Spaugh v. McAnderson’s Inc.
Attorney: Franklin Pope
   Greg Jones & Associates
   3015 Market St.
   Wilmington, NC  28403
Side: Plaintiff
Description: The case involves an elderly woman who tripped and fell at a McDonald’s restaurant. She tripped over a high chair that was protruding into a walking area.
Issues: The human factors issues include the visibility of the high chair, the behavior of the plaintiff, the mechanism of tripping, etc.
Status: Dismissed on Summary Judgment Motion
Testimony: Consultation only
**Expert Witness Summary - Maddox**

**Case:** Nolan v. C&S Building Maintenance  
**Attorney:** Ken Carman  
Carman, Beauchamp & Sang  
3335 N.W. Boca Raton Blvd.  
Boca Raton, FL 33431  
**Side:** Defendant  
**Description:** This case involves the death of a pedestrian who fell from a drawbridge when it was opened while he was crossing it. The Florida DOT was a third-party defendant and I was hired on their behalf.  
**Issues:** The human factors issues include the visibility of the pedestrian to the drawbridge operator, adherence to bridge-opening procedures by the operator, warnings provided to pedestrians prior to opening the bridge, failure of pedestrians to comply with gates and audio warnings of impending bridge opening, time required for pedestrians to cross the bridge, etc.  
**Status:** Case Settled  
**Testimony:** Consultation only

**Case:** Williams v. Lee (Funderburk)  
**Attorney:** Lance Avera  
Avera & Smith  
2814 SW 13th Street  
Gainesville, FL 32608  
**Side:** Plaintiff  
**Description:** This case involves a tractor-trailer that was parked by the driver in a travel lane of a 4-lane highway (in order to visit a vegetable stand). The parked vehicle was struck from behind by a passenger vehicle and the driver of the passenger vehicle was killed. Plaintiffs represent the estate of the deceased driver.  
**Issues:** The human factors issues include the visibility of the trailer, expectations of the driver of the passenger vehicle, the complexity of the visual scene, the ability to judge that the tractor-trailer was stopped, and the perception-reaction time of the plaintiff.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Clark v. Irvin, et al.  
**Attorney:** Ralph Scocimaro  
Brown & Scocimaro  
1801 Gillionville Road  
Albany, GA 31707  
**Side:** Plaintiff  
**Description:** This case involves a passenger vehicle crashing into the back of a tractor-trailer that was parked partially in the roadway on a four-lane highway. The crash happened during daylight hours.  
**Issues:** The human factors issues include the visibility of the trailer, the ambient light conditions in the area of the crash, expectations of the plaintiff, the complexity of the visual scene, the ability to judge that the tractor-trailer was stopped, and the perception-reaction time of the plaintiff.  
**Status:** Case Settled  
**Testimony:** Deposition
**Case:** Locklear v. J.C. Penney  
**Attorney:** Hal Broadfoot  
Beaver Holt Sternlicht & Courie  
230 Green St.  
Fayetteville, NC  28301  
**Side:** Plaintiff  
**Description:** This case involves a female shopper tripping over a portable clothes rack that was left (empty) in the middle of the men’s department at a J.C. Penney store.  
**Issues:** The human factors issues include the visibility of the visibility of the empty rack, the expected behavior of the shopper, typical movements during ambulation, ability to avoid a fall once it has been initiated, etc.  
**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Mitchell v. Marruffo and Liberty Express  
**Attorney:** Andrew Gowdown  
Rosen, Rosen & Hagood  
134 Meeting St., Suite 200  
Charleston, SC  29401  
**Side:** Plaintiff  
**Description:** This case involves a crash in which the defendant’s tractor (without trailer) was backing across two lanes of a four-lane highway, blocking both lanes. The plaintiff did not see the tractor and ran into the rear part – near the drive wheels. This incident happened during nighttime.  
**Issues:** The human factors issues include the visibility of the tractor, the ambient light levels in the area of the crash, expectations of the plaintiff, the complexity of the visual scene, and the perception-reaction time of the plaintiff.  
**Status:** Active  
**Testimony:** Consultation only

**Case:** Beale v. Graham and Dudley  
**Attorney:** Jon Moore  
Brown Moore & Associates  
930 East Boulevard  
Charlotte, NC 28203  
**Side:** Plaintiff  
**Description:** The case involves a vehicle towing a small trailer with two motorcycles. One of the motorcycles fell off on an interstate highway at night and was struck by a tractor-trailer, which then jackknifed and was, in turn, struck by another vehicle.  
**Issues:** The human factors issues include the visibility of the motorcycle and small trailer, the ability of the tractor-trailer driver to see and react to the motorcycle, the expectations of the tractor-trailer driver, and the perception-reaction time for both the tractor-trailer driver and the driver of the following vehicle that struck the tractor-trailer  
**Status:** Case Settled  
**Testimony:** Consultation only
Case: Joyce (Kimberly) v. P&M Trucking, et al.
Attorney: Chris Clark
Clark & Smith Law Firm
3402 Vineville Avenue, Suite A
Macon, GA  31204
Side: Plaintiff
Description: The case involves multiple deaths as a result of a tractor-trailer striking the rear of a mule-drawn wagon on a rural four-lane highway during daylight hours.
Issues: The human factors issues include the visibility of the mule-drawn wagon, the sight lines of the tractor-trailer driver, the visibility of multiple slow-moving vehicle (SMV) symbols, and driver inattention and distraction.
Status: Case Settled
Testimony: Consultation only (Deposition in previous Joyce case)

Case: Goins v. Truck Parts, Inc., et al.
Attorney: John Ong
Cranfill Sumner & Hartzog
2907 Providence Road, Suite 200
Charlotte, NC  28211
Side: Defendant
Description: This case relates to a delivery truck striking a pedestrian on a busy road in Charlotte, NC. The incident occurred during darkness when the pedestrian, who was wearing a dark hoodie, crossed a four-lane street with a raised median.
Issues: The human factors issues include the visibility of the pedestrian and the oncoming vehicle, the sight lines of the delivery truck driver, perception/reaction time, expectations of the driver and the pedestrian, etc.
Status: Case Settled
Testimony: Consultation only

Case: Joyce (Andrew) v. P&M Trucking, et al.
Attorney: Chris Clark
Clark & Smith Law Firm
3402 Vineville Avenue, Suite A
Macon, GA  31204
Side: Plaintiff
Description: The case involves multiple deaths as a result of a tractor-trailer striking the rear of a mule-drawn wagon on a rural four-lane highway during daylight hours.
Issues: The human factors issues include the visibility of the mule-drawn wagon, the sight lines of the tractor-trailer driver, the visibility of multiple slow-moving vehicle (SMV) symbols, and driver inattention and distraction.
Status: Case Settled
Testimony: Consultation only (Deposition in previous Joyce case)
Case: Oborne v. Eau Gallie Towing  
Attorney: Alfred Bell  
Steinger, Iscoe & Greene  
507 N.W. Lake Whitney Place  
Port St. Lucie, FL  34986  

Side: Plaintiff  
Description: This case involves a traffic crash in which a tow truck turned left across two lanes of oncoming traffic at a signal-controlled intersection. As the tow truck turned in front of an automobile, the auto hit the truck.  
Issues: The human factors issues include the visibility of the tow truck and the oncoming car, the behavior of each driver, the possible involvement of the “left-turn” effect, the possible effects of fatigue on the tow truck driver’s perception, etc.  
Status: Case Settled  
Testimony: Deposition

Case: Compani v. Centrum Flamingo  
Attorney: Steve Cain  
Stewart Tilghman Fox & Bianchi  
One Southeast Third Avenue, Suite 3000  
Miami, FL  33131  

Side: Plaintiff  
Description: This case involves a renter at a large condominium complex in Miami Beach who died as a result of a bicycle crash. He fell from his bicycle after striking a chain stretched across one of four pass-throughs from the condo gate to a recreation area. The crash happened at dusk.  
Issues: The human factors issues include the visibility of the chain from the bicyclist’s perspective, the common behavior of bicyclists on the grounds of the condo, the reason for the presence of the chain and the decision process that led up to its installation.  
Status: Case Settled  
Testimony: Deposition

Case: Saucedo v. Swift Transportation  
Attorney: Armando Payas  
Payas, Payas & Payas  
1018 East Robinson St.  
Orlando, FL  32801  

Side: Plaintiff  
Description: The case involves the collision of a passenger vehicle with the trailer portion of a tractor-trailer crossing both northbound lanes of a four-lane, divided roadway as it was attempting to turn left. The crash occurred during darkness in the very early morning. The driver of the automobile was apparently legally intoxicated at the time of the crash. The automobile driver perished as a result of the crash.  
Issues: The human factors issues include the visibility of the trailer and the oncoming passenger vehicle, the decision by the truck driver to pull out and block both lanes of traffic, the behavior of both the truck driver and the automobile driver, the effects of alcohol on driver behavior, etc.  
Status: Case Settled  
Testimony: Deposition
Case: Puentes v. Barrera
Attorney: Marc Buschman
       Clark Robb
       Biscayne Building Suite 920
       19 West Flagler St.
       Miami, FL  33130
Side: Defendant
Description: This case involves the death of a motorcyclist who ran into the side of a vehicle that turned in front of him. The automobile driver was turning into his driveway in a residential area. The motorcycle driver was apparently test driving the motorcycle and traveling at an extremely high rate of speed. There is evidence that the motorcycle driver applied the brakes prior to striking the automobile.
Issues: The human factors issues include the behavior of both the automobile and motorcycle drivers, the visibility of both the automobile and the motorcycle, the perception-reaction time of both drivers, and the ability of the automobile driver to accurately judge the approach speed and time to collision of and with the motorcycle.
Status: Case Settled
Testimony: Consultation only

Case: Warren v. Automated Handling International
Attorney: Frank Jackson
       F.B. Jackson and Associates
       422 North Church St.
       Hendersonville, NC  28793
Side: Plaintiff
Description: This case involves a worker who was injured while clearing a fault condition in a large automatic wrapping machine. The worker bypassed a safety gate that would have disabled that section of the machine. This action was apparently routine for maintainers and other workers at the plant.
Issues: The human factors issues include the overall geometric layout of the machine, the visibility of various portions of the machine from the operator’s station, the behavior of the plaintiff and other workers at the plant with respect to clearing faults in the machine, the design of the safety gate, etc.
Status: Case Settled
Testimony: Affidavit
Attorney: Jim Brauchle
    Motley Rice
    28 Bridgeside Blvd
    Mt. Pleasant, SC  29464
Side: Plaintiff
Description: This case concerns the crash of a Cessna Citation business jet being used as a medical transplant shuttle. The aircraft crashed shortly after takeoff from Milwaukee. The flight crew (Serra was the pilot) and medical transplant team were killed in the crash. The NTSB could not pinpoint the cause(s) of the crash, but indicated that inadvertent autopilot actuation and/or a runaway trim condition likely contributed.
Issues: The human factors issues include the layout of the cockpit, including the location and labeling of breaker panels, the ability of the flight crew to apply the force necessary to overcome the autopilot servos and the aerodynamic forces they encountered, the indications of autopilot status and trim positions available to the flight crew, applicable emergency procedures, flight crew training, etc.
Status: Case Settled
Testimony: Deposition
2009

Case: Vassey v. Nikki Vaughn Trucking
Attorney: Tom Killoren
Harrison, White, Smith & Coggins
178 West Main St.
Spartanburg, SC  29306
Side: Plaintiff
Description: This case involves dump truck that stopped in the right travel lane of a four-lane highway while waiting to turn right into a construction site. The plaintiff ran into the back of the dump truck.
Issues: The human factors issues include the visibility of the dump truck, the ability of the approaching driver to appreciate that the truck was stopped, perception-reaction time of the approaching driver, expectations of drivers with respect to other vehicles on the road, etc.
Status: Case Settled
Testimony: Consultation only

Case: Burke v. Lexington-Richland School District
Attorney: Steve Cook
Koon & Cook
2016 Gadsen Street
Columbia, SC  29201
Side: Plaintiff
Description: This case involves a trip and fall incident on the grounds of a high school. The fall occurred during darkness on a section of sidewalk that was not well lit and also contained a sunken section of concrete.
Issues: The human factors issues include the presence of a tripping hazard on the sidewalk, the ambient lighting that prevailed at the time of the fall, the visibility of the tripping hazard, the behavior of the plaintiff, etc.
Status: Active
Testimony: Deposition

Case: Brown v. Spruill and Layden Trucking
Attorney: Fred Smith
Fred D. Smith, Jr., P.C.
PO Box 991
Martinsville, VA  24114
Side: Plaintiff
Description: The case involves the collision of a passenger vehicle with a trailer approaching on a sharp curve on a two-lane highway. Reconstruction analysis showed that the trailer was in the plaintiff’s lane of travel and that plaintiff tried to avoid the collision.
Issues: The human factors issues include the visibility of the trailer and the oncoming passenger vehicle, scanning and lane keeping on the part of the tractor trailer driver, the effects of distractions and fatigue on driver performance, and typical crash avoidance behavior.
Status: Case Settled
Testimony: Consultation only
Case: Aboagye v. Blaze Recycling  
Attorney: Bryce Mowbray  
Skedsvold & White  
1050 Crown Pointe Parkway, Suite 710  
Atlanta, GA 30338  
Side: Defendant  
Description: This case involves a tractor-trailer that turned left across the path of an oncoming vehicle at a stoplight-controlled intersection. The crash happened early in the morning and resulted in the death of the automobile driver.  
Issues: The human factors issues include the behavior of both the truck and automobile drivers, the visibility of both vehicles at the intersection, the perception-reaction time of the automobile driver, the gap time available for the truck to turn left at the intersection.  
Status: Active  
Testimony: Consultation only

Case: Robinson v. Kiewit Southern Co.  
Attorney: Charles (Bud) Stack  
High Stack Gordon  
525 E. Strawbridge Avenue  
Melbourne, FL 32901  
Side: Plaintiff  
Description: The case involves the collision of a passenger vehicle with a mechanical attenuator located near the edge of a newly opened travel lane on an interstate highway. The vehicle striking the attenuator was the first event in a chain of events that led to the death of the driver when he left his disabled vehicle and tried to walk across the highway. This crash happened during darkness in the early morning hours.  
Issues: The human factors issues include the visibility of the attenuator, the disabled vehicle, and the pedestrian, the appropriateness of road and barrier markings, the perception-reaction time of the driver of the initial vehicle and of subsequent vehicles, ambiguity introduced by various road markings, etc.  
Status: Case Settled  
Testimony: Deposition

Case: Patel v. Geico  
Attorney: Sean Greene  
Steinger, Iscoe & Greene  
507 N.W. Lake Whitney Place  
Port St. Lucie, FL 34986  
Side: Plaintiff  
Description: The case involves the rear-end collision of a passenger vehicle into the rear of another vehicle that was stopped because of a previous minor collision with a third vehicle. The incident happened during nighttime on a well-lit, multi-lane roadway after a music concert.  
Issues: The human factors issues include the visibility of the stopped vehicles, the sufficiency of ambient lighting in the area of the crash, the perception-reaction time of the driver, the expectation of the driver regarding a vehicle stopped in a travel lane, and the ability of a driver to judge whether a leading vehicle is stopped or moving slowly.  
Status: Case Settled  
Testimony: Deposition
Attorney: Paula Parisi
Cole, Scott & Kissane
Bridgeport Center
5201 W. Kennedy Blvd, Suite 750
Tampa, FL 33609
Side: Defendant
Description: The case involves the collision of a tractor-trailer with stopped traffic in a “moving roadblock” type of construction zone on an interstate highway. The tractor-trailer came over a hill and then collided with a number of cars that were stopped for a temporary roadblock for construction.
Issues: The human factors issues include the visibility of the stopped traffic, the sight lines available to the tractor-trailer driver, the perception-reaction time of the tractor-trailer driver, the signage leading up to the construction site, etc.
Status: Withdrawn
Testimony: Consultation only

Case: Swinney v. Schneider Trucking
Attorney: John Dixon
Dennis, Corry, Porter & Smith, LLP
3535 Piedmont Road, NE
14 Piedmont Center, Suite 900
Atlanta, GA 30305
Side: Defendant
Description: The case involves the collision of a tractor-trailer with a disabled vehicle parked in a travel lane of an interstate highway at 4 AM. The electrical system of the disabled vehicle was not capable of supplying full voltage to the vehicle lights.
Issues: The human factors issues include the visibility of the vehicle in the travel lane, the sufficiency of ambient lighting in the area of the crash, the perception-reaction time of the truck driver, the expectation of the truck driver regarding a vehicle stopped in a travel lane, and the ability of a driver to judge whether a leading vehicle is stopped or moving slowly.
Status: Case Settled
Testimony: Deposition

Case: Parker v. Kmart Corporation
Attorney: William Croft
Curtis & Croft
28 North Main St.
Sumter, SC 29151
Side: Plaintiff
Description: The case involves a person who was shopping at a Kmart store slipping and falling on some car wash detergent concentrate that had been spilled or intentionally placed on the floor of an aisle
Issues: The human factors issues include the visibility of the liquid on the floor, the Kmart policies regarding finding and cleaning up liquids, and potential distractions due to conversing on a cell phone while walking through the store.
Status: Case Settled
Testimony: Expert report
Case: Joyce (Sandra, et al.) v. P&M Trucking, et al.
Attorney: Chris Clark
O'Neal, Brown & Clark
Suite 1001, American Federal Building
544 Mulberry St.
Macon, GA 31201
Side: Plaintiff
Description: The case involves multiple deaths as a result of a tractor-trailer striking the rear of a mule-drawn wagon on a rural four-lane highway during daylight hours.
Issues: The human factors issues include the visibility of the mule-drawn wagon, the sight lines of the tractor-trailer driver, the visibility of multiple slow-moving vehicle (SMV) symbols, and driver inattention and distraction.
Status: Case Settled
Testimony: Deposition

Case: Terry v. Loney & U.S. Express
Attorney: Jennifer Biewend
Avera & Smith
2814 SW 13th St.
Gainesville, FL 32608
Side: Plaintiff
Description: The case involves a homeless woman who was struck and killed while walking along the shoulder of an interstate highway at night. The driver of the tractor-trailer that struck the pedestrian was charged with hit and run.
Issues: The human factors issues include the ability of the truck driver to see the pedestrian, the actions of the pedestrian and the driver of the vehicle that struck her, the known perceptual issues related to pedestrian-vehicle collisions at night, etc.
Status: Case Settled
Testimony: Consultation only

Case: Cadet v. Wahab, et al.
Attorney: Liah Catanese
Alan Goldfarb, PA
100 Southeast 2nd St.
Suite 4500
Miami, FL 33131
Side: Plaintiff
Description: The case involves the death of a pedestrian crossing a major thoroughfare late at night in a construction zone.
Issues: The human factors issues include the ability of oncoming drivers to see the pedestrian, the actions of the pedestrian and the driver of the vehicle that struck him, the known perceptual issues related to pedestrian-vehicle collisions at night, the perceptual and cognitive tasks posed by the presence of a construction zone, etc.
Status: Case Settled
Testimony: Deposition
Expert Witness Summary - Maddox

Case: Liu v. Roadway Express
Attorney: Jim Gustafson
         Searcy Denny Scarola Barnhart & Shipley
         517 N. Calhoun St.
         Tallahassee, FL  32301
Side: Plaintiff
Description: The case involves a highway collision between a large transfer truck and a minivan driven by the plaintiff. The truck ran into the back of the minivan at night on an interstate highway.
Issues: The human factors issues include the visibility of the minivan, the ability of the Roadway driver to see the minivan in the roadway, and the perception/reaction time available to the driver of the Roadway vehicle.
Status: Case Settled
Testimony: Deposition

Case: Bermudez v. Morton’s Steakhouse
Attorney: Alan Goldfarb
         Alan Goldfarb, PA
         100 Southeast 2nd St.
         Suite 4500Miami, FL 33131
Side: Plaintiff
Description: The case involves an elderly gentleman who tripped and fell in a Morton’s Restaurant.
Issues: The human factors issues include the hazard posed by exposed table legs and feet, the visibility of the table feet, the width of access aisles in the restaurant, the mechanisms of tripping, and the likelihood of recovery after a fall is initiated.
Status: Trial Complete
Testimony: Deposition and Trial (State Court)

Attorney: Lee Davis
         Davis & Hamrick
         635 West Fourth St.
         Winston-Salem, NC  27120
Side: Defense
Description: This case involves the driver of a Pike Electric truck that struck a vehicle in a parking lot. The truck was trying to avoid a vehicle that turned in front of it.
Issues: The human factors issues include driver behavior, perception-reaction time, visibility of the vehicle that was struck, visibility of the Pike Electric truck, etc.
Status: Case Withdrawn
Testimony: Consultation only
Expert Witness Summary - Maddox

**Case:** Jacklets v. County of Charleston (SC)

**Attorney:** Andrew Gowdown
   Rosen, Rosen & Hagood
   134 Meeting Street, Suite 200
   Charleston, SC  29402

**Side:** Plaintiff

**Description:** The case involves a woman who tripped over a curb and fell in a parking garage. The lights inside the parking garage were off at the time she fell and the curb was painted a dark color. The curb was also taller than typical curbs.

**Issues:** The human factors issues include the hazard posed by the curb, especially in the darkened conditions that pertained at the time of the incident, the ability of the pedestrian to see the curb, the visual contrast of the curb, and the location of the curb with respect to pedestrian walking paths.

**Status:** Case Settled

**Testimony:** Consultation only

**Case:** Meeker v. EMJ, et al.

**Attorney:** Charlie Merkel
   Merkel & Cocke
   30 Delta Avenue
   Clarksdale, MS  38614

**Side:** Plaintiff

**Description:** The case involves a construction worker who was injured when he fell from a permanent ladder installed improperly in a new building.

**Issues:** The human factors issues include the hazard posed by the improperly installed ladder, the worker's ability to safely use the ladder as installed, the violations of established design criteria for ladders and stairs, and the appropriateness of using a ladder to access the egress hatch in the roof.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Rudell & Rudell v. Daniels Charter

**Attorney:** Grant Smith
   Dennis, Corry, Porter & Smith, LLP
   3535 Piedmont Road, NE
   Atlanta, GA 30305

**Side:** Defendant

**Description:** This case involves a chartered bus that struck a disabled truck that was setting in the HOV lane of an interstate highway north of Atlanta. The crash happened at night and in bad weather conditions. The disabled vehicle displayed no lights.

**Issues:** The human factors issues include the visibility of the disabled truck and the perception-reaction time of the bus driver.

**Status:** Case Settled

**Testimony:** Consultation only
Expert Witness Summary - Maddox

Attorney: Grant Smith  
Dennis, Corry, Porter & Smith, LLP  
3535 Piedmont Road, NE  
Atlanta, GA 30305  
Side: Defendant  
Description: This case involves an empty car transporter turning across oncoming traffic and being struck by an oncoming car. A car following the vehicle that hit the car carrier also hit that vehicle.  
Issues: The human factors issues include the visibility of the truck to the oncoming traffic, the behavior of the truck driver relative to established gap acceptance criteria, the perception and the reaction time of the drivers of the oncoming vehicles.  
Status: Case Settled  
Testimony: Expert report

Case: Lang v. McAteer  
Attorney: Todd Wallen  
Shook, Hardy, & Bacon, LLP  
Miami Center – Suite 2400  
201 S. Biscayne Blvd  
Miami, FL 33131  
Side: Defendant  
Description: This case relates to a vehicle-pedestrian incident involving an elderly driver (McAteer) and a pedestrian TV news photographer at the scene of a helicopter crash. The incident occurred at night.  
Issues: The human factors issues include the visibility of the pedestrian crossing the street in the presence of emergency vehicles and TV satellite trucks. It also involves potential distractions and visual obstacles imposed by the lights of the emergency vehicles.  
Status: Case Settled  
Testimony: Deposition

Case: Tyree v. Mecklenberg EMS and Boring  
Attorney: Brad Kline  
Cranfill Sumner & Hartzog  
2907 Providence Road  
Suite 200  
Charlotte, NC 28211  
Side: Defendant  
Description: The case involves a motorcycle driver who ran into the back/side of an ambulance that was attempting to make a turn through an emergency vehicle turn-through on an Interstate highway.  
Issues: The human factors issues include the visibility of the ambulance, the behavior of the ambulance and motorcycle drivers, and the expected behavior of motorists in the presence of emergency vehicles with lights and siren operating.  
Status: Case Settled  
Testimony: Consultation only
Expert Witness Summary - Maddox

Case: Martin v. City of Durham
Attorney: Guy Crabtree
   Pulley, Watson, King & Lischer, P.A.
   905 West Main St.
   21F Brightleaf Square
   Durham, NC 27701
Side: Plaintiff
Description: This case involves an individual (Martin) who was killed when a street sweeper truck backed over him as he was crossing the street behind it.
Issues: The major issues are the visibility of Mr. Martin to the driver of the sweeper truck, the actions of the driver just prior to the incident, the training of the driver, the ability of Mr. Martin to hear the backup alarm on the sweeper truck, and the expectations of Mr. Martin.
Status: Case Settled
Testimony: Consultation only

Case: Goode v. Kimber and Stackman
Attorney: James Faucher
   Smith Moore Leatherwood
   300 North Greene St., Suite 1400
   Greensboro, NC  27401
Side: Defendant
Description: The case involves a driver (Kimber) who ran into the back of a truck parked in the left travel lane of I-85 near Greensboro. The truck was driven by the plaintiff (Goode) who suffered injuries when Kimber struck his vehicle from behind.
Issues: The human factors issues include the visibility of the stopped vehicle, the ability of the car driver to judge that the stopped vehicle was, in fact, stopped, the perception and reaction time of the car driver, the expectations of a driver on an interstate highway with respect to vehicles being stopped in a travel lane, and others.
Status: Case Settled
Testimony: Expert report

Case: Morris v. PFG
Attorney: Brian Goodman
   Hodes, Pesski & Katz, PA
   901 Dulaney Valley Road
   Towson, MD  21204
Side: Defendant
Description: The case involves a driver of a small pickup truck who ran under a trailer pulling out of a PFG facility on a foggy night. The driver was killed and his passenger was seriously injured. The driver of the pickup truck was legally intoxicated at the time of the crash.
Issues: The human factors issues include the visibility of the truck exiting the facility, the perception and reaction time of the driver who ran into the large truck, the effects of alcohol on perception/reaction time and driver visual behavior, the sight lines from the oncoming vehicle to the truck exiting the facility, and the effects of other trucks parked along the side of the highway.
Status: Case Settled
Testimony: Deposition
Case: Rybarczyk v. Sunset Grille
Attorney: Danny Glover
   Teague & Glover, P.A.
   408 E. Colonial Avenue
   Elizabeth City, NC  27907
Side: Plaintiff
Description: This case involves a gentleman who slipped and injured himself on a ramp leading from an outdoor waiting area to a restaurant.
Issues: The human factors issues include the visibility of the slipping hazard, compliance of the ramp and railings with prevailing human factors design recommendations and standards, maintenance of the walking surface of the ramp, and the expectations of patrons with respect to walking on a wooden walkway.
Status: Case Settled
Testimony: Expert report

Case: Chambers v. Riverwind Apartments
Attorney: Danny Glover
   Teague & Glover, P.A.
   408 E. Colonial Avenue
   Elizabeth City, NC  27907
Side: Plaintiff
Description: This case involves a an older woman who fell over a short retaining wall while returning to her vehicle, which was parked in the lot of a residential apartment building
Issues: The human factors issues include the visibility of the fall/tripping hazard, markings on the parking lot to delineate a proper walking path, lack of marked parking spaces, and failure to provide a proper walkway between parking lot levels.
Status: Complete - Mediated
Testimony: Expert report

Case: Gibson v. Perrott Distributing
Attorney: Robert Green
   Troutman, Williams, Irvin, Green, Helms & Polich, PA
   311 W. Fairbanks Avenue
   Winter Park, FL  32789
Side: Plaintiff
Description: This case involves the death of a teenager who was crossing a street on his way home from school. A beer delivery truck struck him and a friend near a crosswalk. The incident happened during daylight hours on a clear day.
Issues: The human factors issues include the visibility of the pedestrians to the truck driver, the behavior of the pedestrians and the truck driver, and the actions of other motorists in the vicinity of the incident.
Status: Case Settled
Testimony: Deposition
Case: Lowder v. Magnolia Heights
Attorney: George Johnson
The Law Offices of Daniel W. Cotter P.C.
910 Church St., Suite 100
Decatur, GA  30030
Side: Plaintiff
Description: This case involves partial paraplegic who was injured when she fell while trying to transfer between her wheelchair and the commode in her apartment
Issues: The human factors issues include the overall design of the bathroom with respects to handicapped access and the provision of grab bars (or lack thereof) in residential bathrooms.
Status: Case Settled
Testimony: Consultation only

Case: Fedelem and Barnes v. Cook
Attorney: Mark Avera
Avera & Smith LLP
2814 SW 13th St.
Gainesville, FL  32608
Side: Plaintiff
Description: This case involves a young woman who was struck and killed while crossing a street while playing with friends. The incident happened near dusk on a four lane urban street with a median.
Issues: The human factors issues include the visibility of the young lady who was struck and the behavior of the driver of the car that struck her.
Status: Case Settled
Testimony: Deposition

Attorney: Joseph Slama
Krupnick Campbell Malone Buser Slama Hancock Liberman & McKee
700 Southeast Third Ave., St. 100
Fort Lauderdale, FL  33316
Side: Plaintiff
Description: This case involves an individual who was struck by a small pickup truck while crossing a 6-lane urban street to enter a restaurant. He and his wife were apparently instructed to park across the street by the restaurant’s valet staff. The incident happened at night
Issues: The human factors issues include the visibility of the pedestrians as they were crossing the street, expectations on the part of restaurant patrons regarding parking, the behavior of the pickup truck driver, and the behavior of the valet staff.
Status: Withdrawn
Testimony: Consultation only
Case: Hays v. Hickman County Board of Education
Attorney: Craig Housman
   Housman & Associates
   109 South Fourth St.
   Paducah, KY  42002
Side: Plaintiff
Description: This case concerns an individual with a left-leg prosthesis who fell over a curb on his way back to his vehicle from a high school gymnasium. The fall occurred at night and the path taken to his vehicle, which was parked in a handicapped parking space, included a 6-inch curb.
Issues: The human factors issues include the visibility of curb, the appropriateness of having a curb on a known walking path, the location, geometry, and visual conspicuity of the curb ramp, etc.
Status: Active
Testimony: Expert report
2008

**Case**: Boswell v. Philips Electronics  
**Attorney**: Denise Abrams  
Kazan, McClain, Abrams, Lyons, Greenwood & Harley  
171 Twelfth Street  
Third Floor  
Oakland, CA  
**Side**: Plaintiff  
**Description**: This case involves strangulation of an individual who fell out of a motorized wheelchair while wearing a medical alert pendant. The pendant lanyard caught on the direction control joystick of the wheelchair.  
**Issues**: The human factors issues include the design process that allows a non-breakaway lanyard to become part of product intended for individuals with medical conditions, the availability of breakaway lanyards, the mechanics of moving out of a wheelchair, and the expectations of users of medical alert pendants.  
**Status**: Case Settled  
**Testimony**: Consultation only

**Case**: Capps v. South Carolina DOT  
**Attorney**: Bill Hatfield  
The Hyman Law Firm  
170 Courthouse Square  
Florence, SC  29503  
**Side**: Plaintiff  
**Description**: This case involves the ride-under collision of a small pickup truck with a tractor-trailer as the tractor-trailer turned onto a highway from a detour. The trailer blocked the entire roadway at the time. This crash happened during the dark, early-morning hours.  
**Issues**: The human factors issues include the visibility of the trailer, disability glare caused by the headlights of the tractor, and the behavior of the tractor-trailer driver as he made his turn from the detour route.  
**Status**: Trial complete  
**Testimony**: Trial (State Court)

**Case**: Drum v. Hall, et al.  
**Attorney**: Brent Patterson  
Patterson Adams  
1305 E. Garrison Blvd.  
Gastonia, NC  28054  
**Side**: Plaintiff  
**Description**: This case involves a traffic crash in which two of the defendants turned their tractor-trailers left onto a two-lane road at a stop-controlled intersection at night. The plaintiff struck the second tractor-trailer as it was crossing the plaintiff’s lane of travel.  
**Issues**: The human factors issues include the sight distance available to the defendants’ before beginning their turn, the visibility of the defendants’ vehicles to the plaintiff, the effects of glare from the headlights of the first tractor-trailer (disability glare), and the behavior of the defendant at the intersection.  
**Status**: Trial complete  
**Testimony**: Deposition and Trial (State Court)
Case: Ketre v. Auburn University
Attorney: Thomas Kenney
Kenney & Solomon
3675 Crestwood Parkway
Suite 110
Duluth, GA  27025
Side: Plaintiff
Description: This case involves an individual who tripped while ascending stairs at the Auburn University indoor swimming arena.
Issues: The human factors issues include the design of the stairs, the visibility of matting that was placed on a stair landing, and the locomotion of humans as they ascend stairs.
Status: Case Settled
Testimony: Deposition

Attorney: William Stone
Cole, Stone, Stoudemire & Morgan
201 N. Hogan St.
Suite 200
Jacksonville, FL  32202
Side: Defendant
Description: This case involves a traffic crash in which the defendant pulled a loaded flatbed tractor-trailer onto a four-lane highway late at night. The plaintiff’s son drove into the back of the tractor-trailer and was killed.
Issues: The human factors issues include the reasonableness of the defendant’s decision to pull onto the highway, the visibility of the defendant’s vehicle, and the perception-reaction time of the plaintiff.
Status: Trial complete
Testimony: Deposition and Trial (State Court)

Case: McCord v. Tracker Marine
Attorney: Jannea Rogers
Adams and Reese
11 North Water Street
Mobile, AL  36602
Side: Defendant
Description: This case involves the death of the plaintiff’s daughter after falling from a boat when the boat turned to pick up a downed wake boarder. The decedent was sitting on the deck of the boat instead of in an actual seat.
Issues: The human factors issues include the potential use of warnings to discourage occupants of the boat from sitting on the deck area.
Status: Case Settled
Testimony: Deposition
Expert Witness Summary - Maddox

Case: Mathieson v. WVU Board of Governors
Attorney: Al Karlin
   Alan N. Karlin & Associates
   174 Chancery Row
   Morgantown, WV  26505
Side: Plaintiff
Description: A maintenance worker at West Virginia University fell through a large smoke vent on the roof of a stadium facility and died. There was no guarding around the smoke vent, nor was there any fall protection program in place at the time of the incident.
Issues: The human factors issues include the design of the resetting mechanism on the smoke vent, the absence of guarding around the vent opening, the absence of a catch grating below the vent, the absence of a fall protection program at the University, and the behavior of Mr. Mathieson with respect to maintaining the smoke vent.
Status: Case Settled
Testimony: Consultation only

Case: Barnes v. Jones Lumber Company
Attorney: Marshall Wall
   Cranfill Sumner & Hartzog
   PO Box 27808
   Raleigh, NC  27611
Side: Defendant
Description: This case involves a traffic crash in which the defendant parked a disabled tractor-trailer off the right side shoulder of a four-lane highway. The plaintiff drove well off the highway and struck the tractor-trailer after a rainstorm. The crash occurred during daylight hours.
Issues: The human factors issues include the visibility of the defendant’s vehicle and the behavior of the plaintiff.
Status: Case Settled
Testimony: Consultation only

Case: Gregory Hartgrove v. TAB Transport, et al.
Attorney: Guy Crabtree
   Pulley, Watson, King & Lischer, P.A.
   905 West Main St.
   21F Brightleaf Square
   Durham, NC 27701
Side: Plaintiff
Description: This case involves an individual who ran beneath a container truck as the truck was backing into a parking area adjacent to a two-lane highway. In the process of backing, the tractor-trailer blocked the lane of the plaintiff’s vehicle. The crash occurred during nighttime hours.
Issues: The major issues are the visibility of the container (trailer) as it sat across the plaintiff’s lane of travel, the reaction time available to the plaintiff, and the actions of both the truck driver and the plaintiff.
Status: Case Settled
Testimony: Consultation only
Expert Witness Summary - Maddox

Case: Kimberly Morgan v. Raytec Construction Resources, Inc.
Attorney: Michael O’Connor
O’Connor & Associates
PO Box 592
Bryan, TX 77806
Side: Plaintiff
Description: This case involves an individual who struck a cement construction barrier at night. The contact with the barrier caused the plaintiff’s vehicle to cross into the oncoming lane of traffic, which initiated a head-on collision with an oncoming vehicle.
Issues: The major issues are the placement and visibility of the construction barriers, the effects of obscuring the fog line on the right edge of the two-lane road, and the behavior of the plaintiff as she drove through the construction area.
Status: Case Settled
Testimony: Expert report

Attorney: Guy Oldaker
3410 Healey Drive, Suite 115
Winston-Salem, NC 27103
Side: Plaintiff
Description: This case involves a trip and fall while exiting a restaurant through an outdoor eating area.
Issues: The human factors issues include the construction of the exit, the visibility of obvious tripping hazards, lighting, and the behavior of the plaintiff while exiting the restaurant.
Status: Case Settled
Testimony: Expert report

Case: Palmieri v. Allied Waste Industries
Attorney: Bill Hatfield
The Hyman Law Firm
170 Courthouse Square
Florence, SC 29503
Side: Plaintiff
Description: This case involves an ATV driver who was severely injured when he proceeded from a stop sign across a major highway. He was struck by a tractor-trailer dump truck as he attempted to cross the highway. His view in the direction of the oncoming truck was obscured by another large truck that was parked on the shoulder of the major road from a previous accident.
Issues: The human factors issues include the visibility oncoming traffic from the stop sign position, the behavior of the ATV driver, the visibility of crossing traffic from the position of the tractor-trailer driver, and the behavior of the tractor-trailer driver as he approached the previous accident scene.
Status: Case Settled
Testimony: Deposition
Expert Witness Summary - Maddox

Case: Post v. Target Corporation, et al.
Attorney: John Bevis
   Barnes Law Group
   31 Atlanta St.
   Marietta, GA  30060
Side: Plaintiff
Description: This case involves an older lady who died after suffering a brain injury when she tripped over a speed bump near the entrance to a Target store.
Issues: The human factors issues include the tripping hazard posed by the speed bump, the non-compliance of the speed bump with walking surface standards, the increased risk of tripping for older people, the visibility of the speed bump, the effectiveness of speed bumps in parking lots, and the ability of pedestrians to accurately judge the height of objects in their walking path.
Status: Active
Testimony: Deposition

Case: Perminova v. Orosco
Attorney: Marc Buschman
   Clark Robb
   Biscayne Building Suite 920
   19 West Flagler St.
   Miami, FL  33130
Side: Defendant
Description: This case involves the driver of an SUV leaving a condominium complex through a gated opening in a high security wall. The driver had to cross the sidewalk to move into the street and the wall obscured his view of pedestrian sidewalk traffic. The condominium owners provided a high-mounted convex mirror to help drivers view the sidewalk. In this incident, the SUV driver ran over a bicyclist who had approached on the sidewalk from the obscured direction.
Issues: The human factors issues include the overall geometric layout of the condominium exit regarding driver sight lines, the visibility of sidewalk traffic using the convex mirror, and the visibility of exiting vehicles by pedestrians and bicyclists on the sidewalk.
Status: Case Settled
Testimony: Deposition

Case: Chaffee v. Central Erie County Paramedic Association
Attorney: Gordon Einhorn
   Thomas, Thomas & Hafer, LLP
   305 North Front St., Sixth Floor
   Harrisburg, PA  17101
Side: Plaintiff
Description: This case involves a rather unusual set of circumstances. A paramedic responding to an earlier accident in which a vehicle hit and killed two horses ran over one of the dead horses and ran into a bridge abutment. This accident occurred at night.
Issues: The human factors issues include the visibility of the horses as they laid in the road, the expectations of the paramedic as he approached the accident scene, and the behavior of the paramedic as it pertains to driving the emergency vehicle.
Status: Case Settled
Testimony: Verbal expert report
Expert Witness Summary - Maddox

Case: Wullert v. Day-Ray Products
Attorney: Zach Thomas
Bergen & Bergen
123 E. Charlton St.
Savannah, GA  31401
Side: Plaintiff
Description: This case involves the electrocution of an aviation mechanic while he was using a fluorescent work light manufactured by the defendant.
Issues: The human factors issues include the obviousness of the electrocution hazard, the effectiveness of an on-product warning, and the overall design of the work light from a usability and safety perspective.
Status: Case settled
Testimony: Verbal expert report

Case: Pinckney v. Coburg Dairy
Attorney: Art LaPlante
Hinshaw & Culbertson
One East Broward Blvd.
Suite 1010
Ft. Lauderdale, FL  3301
Side: Defendant
Description: This case involves an incident in which a dairy delivery truck struck a bicyclist at approximately 4 AM while the bicyclist was riding near the fog line of a four-lane highway.
Issues: The human factors issues include the visibility of the bicyclist from the defendant’s vehicle, the reaction time available to the defendant, and the behavior of the defendant just prior to striking the bicyclist.
Status: Case Settled
Testimony: Verbal expert report

Case: Finehirsh v. Bodkin Excavating
Attorney: Patrick Martucci
The Hershewe Law Firm, P.C.
431 S. Virginia
Joplin, MO  64801
Side: Plaintiff
Description: This case involves the crash of the plaintiff (deceased) into the rear of an illegally parked tractor hooked to a large, low-boy equipment trailer. The crash occurred when the sun would have been in the eyes of the plaintiff.
Issues: The major issues are the visibility of the tractor trailer, the ability of the plaintiff to determine that the tractor trailer was stopped (parked), and the ability of the plaintiff to react to the stopped tractor trailer in time to avoid the ultimate collision.
Status: Case Settled
Testimony: Verbal expert report
**Expert Witness Summary - Maddox**

**Case:** St. Pierre, et al., v. Miami-Dade County, et al.  
**Attorney:** Eric Gressman  
  Miami-Dade County Attorney’s Office  
  111 NW 1st St., Suite 2810  
  Miami, FL 33128  
**Side:** Defendant  
**Description:** This case involves a traffic crash at a stop-sign-controlled intersection in which one of two stop signs was obscured by foliage.  
**Issues:** The human factors issues include the visibility of the stop sign(s) from the defendant’s vehicle and the behavior of the defendant at the intersection.  
**Status:** Case Settled  
**Testimony:** Consultation only

**Case:** Haslem v. Adonel and Peres  
**Attorney:** Dale Friedman  
  Conroy, Simberg, Ganon, Krevans, Lurvey, Morrow & Schefer  
  3440 Hollywood Blvd.  
  Hollywood, FL 33021  
**Side:** Defendant  
**Description:** This case involves a traffic crash in which the defendant entered a stop-sign-controlled intersection into the path of the plaintiff.  
**Issues:** The human factors issues include the visibility of the plaintiff from the defendant’s vehicle and the behavior of the defendant and plaintiff at the intersection.  
**Status:** Case Settled  
**Testimony:** Consultation only

**Case:** Houston v. First Fleet  
**Attorney:** David M. Duke  
  Young Moore and Henderson  
  3101 Glenwood Avenue  
  Raleigh, NC 27612  
**Side:** Defendant  
**Description:** This case involves a late night collision between a stopped automobile and a transfer truck. There was an active police-screening roadblock on the other side of the highway at the time of the crash.  
**Issues:** The human factors issues include the visibility of the stopped automobile, the ability of the truck driver to perceive that the passenger vehicle was stopped, and various distractions caused by an adjacent police roadblock.  
**Status:** Case Settled  
**Testimony:** Verbal expert report
2005 - 2007

Case: Johnson v. M&N Trucking
Attorney: Dan Koenig
Nexsen Pruet Adams Kleemeier
701 Green Valley Drive
Suite 100
Greensboro, NC  27408
Side: Defendant
Description: This case involves a traffic crash in which the defendant pulled an empty drop-deck tractor-trailer across a four-lane highway at night and was struck by the plaintiff.
Issues: The human factors issues include the visibility of the defendant’s vehicle, the available sight distance of both defendant and plaintiff, and the perception-reaction time of the plaintiff.
Status: Case Settled
Testimony: Verbal expert report

Case: Wise v. Haley
Attorney: Sean Cole
Martin & Jones
410 Glenwood Avenue
Raleigh, NC  27603
Side: Plaintiff
Description: This case involves a traffic crash in which the defendant entered a stop-sign-controlled intersection into the path of the plaintiff.
Issues: The human factors issues include the visibility of the plaintiff from the defendant’s vehicle and the behavior of the defendant at the intersection.
Status: Case Settled
Testimony: Deposition

Case: Lucas v. Hill and Southeast Unloading
Attorney: Paul C. Perkins
The Nation Law Firm
570 Crown Oak Centre Dr.
Longwood, FL  32750
Side: Plaintiff
Description: This case involves injuries incurred by a warehouse employee when a forklift, driven by one of the defendants, ran over his foot and ankle.
Issues: The human factors issues include the visibility of the plaintiff from the seat of the forklift and the behavior of the plaintiff in operating the forklift.
Status: Trial Complete
Testimony: Deposition
Expert Witness Summary - Maddox

Case: D’Andrea v. Jetson
Attorney: Greg Anderson
Billing, Cochran, Heath, Lyles, Mauro & Anderson
400 Australian Avenue South, Suite 500
West Palm Beach, FL  33401
Side: Defendant
Description: This case involves the death of a pedestrian crossing a roadway adjacent to the beach. The defendant in this case was driving an SUV and struck the pedestrian as he was crossing the roadway. The incident happened just before dawn.
Issues: The human factors issues include the visibility of the pedestrian and the oncoming vehicle, as well as the behavior of the pedestrian in crossing the roadway.
Status: Case settled
Testimony: Verbal expert report

Case: Cooke v. Palmetto Health Alliance
Attorney: Robert B. Ransom
Leventis & Ransom
1913 Bull St.
Columbia, SC  29201
Side: Plaintiff
Description: This case involves injuries incurred by a medical helicopter pilot when he tripped and fell as he entered the communications center of the hospital where he was stationed. A rod had been placed across the doorway to hold the outside door of the room open.
Issues: The human factors issues include the visibility of the rod holding open the door, the typical behavior of people as they walk, and the likelihood of recovery once a person trips on an obstruction while walking.
Status: Case settled
Testimony: Verbal expert report

Case: Brewer v. AMAC
Attorney: Phillip Miller
Phillip Miller & Associates
631 Woodland St.
Nashville, TN  37206
Side: Plaintiff
Description: This case involves the ligature strangulation of an individual who apparently fell out of a motorized wheelchair and caught the lanyard of his “medical alert” alarm on the wheelchair. The deceased individual had recently had a stroke and was unable to free himself from the entanglement.
Issues: The human factors issues include the use of a non-break-away lanyard on personal alarm devices, the ability of a stroke-disabled person to free themselves from a similar situation, and the typical design process for similar products.
Status: Case Settled
Testimony: Consultation only
Case: Norris v. City of Bennettsville (SC)
Attorney: William P. Hatfield
    The Hyman Law Firm, LLP
    170 Courthouse Square
    Florence, SC  29503
Side: Plaintiff
Description: This case involves plaintiff crashing into the rear of a lowboy trailer being towed by a City of Bennettsville dump truck. The trailer had no brake or signal lights and was stopped while waiting to make a left turn.
Issues: The major issues are the ability of the plaintiff to see the truck/trailer and to perceive that they were stopped.
Status: Case Settled
Testimony: Deposition

Case: White v. Solomon and Solomon
Attorney: David M. Duke
    Young Moore and Henderson
    3101 Glenwood Avenue
    Raleigh, NC  27612
Side: Defendant
Description: This case involves the death of a family member in a single-vehicle automobile accident that occurred after a severe rainstorm.
Issues: The human factors issues include the visibility of standing water on an Interstate roadway, the ability of a typical driver to either avoid or recover from hydroplaning, and the "normal" behavior of drivers on Interstate highways.
Status: Case settled
Testimony: Consultation only

Case: Pickard v. Fleet-Plummer Hardware
Attorney: Kurt Aktug
    Egerton & Associates
    222 Commerce Place
    Greensboro, NC 27402
Side: Plaintiff
Description: This case involves injuries incurred by a shopper when she tripped over a cable securing outdoor furniture at a hardware store.
Issues: The human factors issues include the visibility of the cable, the tripping hazard imposed by the anti-theft cable, and the behavior of the plaintiff as she entered the store from the parking lot.
Status: Case dismissed
Testimony: Deposition
Case: Griffin v. UNC, et al.
Attorney: Brian Davis
   Davis & McCabe
   1115 Hillsborough St.
   Raleigh, NC  27603
Side: Plaintiff
Description: This case involves injuries incurred by a person attending a football game at the UNC stadium in Chapel Hill, NC. This individual fell on concrete and steel steps leading to/from seats in the middle tier of the stadium.
Issues: The human factors issues include the construction of the steps, the existence of slip-resistant materials on the steps, the typical behavior of people descending stairs, and the ability of people to recover from slipping on stairs.
Status: Trial Complete
Testimony: Deposition and Trial (Administrative Law Court)

Case: Harvey v. South Carolina DOT, et al.
Attorney: Michael Pauley
   Vinton D. Lide & Associates
   5179 Sunset Boulevard
   Lexington, SC  29072
Side: Defendant
Description: This case involves the death of a young, handicapped man who was a passenger in a van driven by his mother. The mother stopped at an unguarded railroad crossing and then proceeded across the tracks directly in the path of an oncoming train.
Issues: The human factors issues include the visibility of the oncoming train, the clarity of traffic signs at the railroad crossing, and the ability of the driver to hear the train whistle.
Status: Case Settled
Testimony: Deposition

Case: Comstock v. South Carolina DOT
Attorney: Jon Moore
   Brown, Moore & Associates
   930 East Boulevard
   Charlotte, NC 28203
Side: Plaintiff
Description: This case involves a motorcycle rider driving on a road that had been revised by the SCDOT so as to provide an illusion (at night) that it continued, when, in fact, it made a sharp turn to the left. The driver ran off the road at the turn and was injured.
Issues: The primary human factors issues are the visibility of the road transition, the expectation of drivers at night when seeing approaching headlights on what appeared to be the road on which he was traveling, the reaction time of the motorcycle driver and his ability to see and respond to the abrupt end of the road.
Status: Case settled
Testimony: Expert report
**Case:** Kim Moore v. Madison at Adams Farm  
**Attorney:** Lawrence Egerton  
Egerton & Associates  
222 Commerce Place  
Greensboro, NC 27402  
**Side:** Plaintiff  
**Description:** This case involves a young lady who was injured when she tripped and fell at the transition of a curb cut access ramp near the entrance of the office for an apartment complex.  
**Issues:** The primary human factors issues are the visibility of the ramp transition (there was a golf cart parked in the “no parking” area in front of the ramp, the compliance of the ramp and surrounding sidewalk with ADA accessibility guidelines, and the likelihood of a person being able to recover from tripping on the ramp edge.  
**Status:** Disposed by court  
**Testimony:** Affidavit

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**Case:** Gloria Williams v. State of Louisiana  
**Attorney:** Boyd Anderson  
Anderson Law Office  
2010 W. Pinhook Road  
Lafayette, LA 70598  
**Side:** Plaintiff  
**Description:** This case involves the issuance of a driver’s license to an individual who had sustained a traumatic brain injury as a child. This individual was involved in a traffic crash that took the lives of two individuals  
**Issues:** The major issues are the dissemination and enforcement of laws requiring a medical evaluation for drivers license applicants with any mental or physical impairment, the reasonableness of actions by the Louisiana Department of Public Safety, and the availability of functional tests for driving ability by brain injured individuals.  
**Status:** Case Settled  
**Testimony:** Deposition

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**Case:** Madelaine Landry v. Kazi Foods of Louisiana  
**Attorney:** Boyd Anderson  
Anderson Law Office  
2010 W. Pinhook Road  
Lafayette, LA 70598  
**Side:** Plaintiff  
**Description:** This case involves a slip and fall when the plaintiff entered a fast food restaurant.  
**Issues:** The major issues are the visibility of a slippery substance on the floor of the restaurant, the ability of the plaintiff to prevent or recover from the initial slip (before falling to the floor), and the contributions of the restaurant staff to the slippery condition of the floor.  
**Status:** Active  
**Testimony:** Expert report
Case: Linda Broussard v. Our Lady of Lourdes Regional Medical Center
Attorney: Boyd Anderson
Anderson Law Office
2010 W. Pinhook Road
Lafayette, LA 70598
Side: Plaintiff
Description: This case involves the plaintiff slipping in a pool of spilled clear liquid on the floor of a hospital corridor while walking between the admissions area and the Radiology Department.
Issues: The major issues are the visibility of the spilled liquid on the floor of the hospital corridor, the contribution of wayfinding arrows on the wall of the corridor, and the effects, if any, of staffing shortages in the hospital janitorial department prior to the plaintiff’s slip and fall.
Status: Case settled
Testimony: Expert report

Case: Francis Bellot v. State Farm Fire and Casualty Company and Country Store No. 6
Attorney: Nicholas Blanda
Anderson Law Office
2010 W. Pinhook Road
Lafayette, LA 70598
Side: Plaintiff
Description: This case involves the trip and fall of a convenience store customer as he exited the store.
Issues: The major issues are identifying whether an entry mat was the most likely cause of the plaintiff’s trip and fall, the characteristics of the entry mat in place at the time of the trip and fall, and the plaintiff’s ability to mitigate his fall after he initially tripped.
Status: Case Settled
Testimony: Expert report

Case: Frank Hill v. Town of Robbins
Attorney: Lawrence Egerton
Egerton & Associates
222 Commerce Place
Greensboro, NC 27402
Side: Plaintiff
Description: This case involves injuries incurred during the act of raising an access door in order to read a water meter at a municipal chlorination station.
Issues: The major issues are the design of the work area, the design of the access door, the visibility of certain components attached to the door, and the reasonableness of the actions of Mr. Hill as performed his job duties.
Status: Summary judgment granted for defendant
Testimony: Affidavit
Expert Witness Summary - Maddox

Case: Brigida Rynkiewicz v. Best Western of Winston-Salem
Attorney: Dianne Elliott
           Jaffe & Hough
           1907 Two Penn Center Plaza
           Philadelphia, PA  19102
Side: Plaintiff
Description: This case involves an injury incurred while descending stairs at a Best Western hotel in Winston-Salem, NC.
Issues: The major issues are the design of the steps, the presence of an uneven surface at the bottom of the steps, and the reasonableness of Ms. Rynkiewicz’ actions in descending the steps.
Status: Dismissed
Testimony: Affidavit

Case: Steven Scott v. Craig Davis Properties, et al.
Attorney: Robert Tatum
           Tatum Atkinson & Lively, PLLC
           3344 Hillsborough St.
           Raleigh, NC  27607
Side: Plaintiff
Description: This case involves a slip and fall accident in the parking area of Mr. Scott’s employer.
Issues: The major issues are the likelihood of Mr. Scott seeing ice in the parking lot, the actions of the company responsible for cleaning ice and snow from the parking lot, and the reasonableness of the actions of Mr. Scott as he walked between his work building and his car in the parking lot.
Status: Trial complete
Testimony: Trial (State Court)

Case: Earlene Whittington v. Red Roof Inn
Attorney: Robert Tatum
           Tatum Atkinson & Lively, PLLC
           3344 Hillsborough St.
           Raleigh, NC  27607
Side: Plaintiff
Description: This case involves a trip and fall accident at a Red Roof Inn near Greensboro, NC.
Issues: The major issues are the design of the parking and room entry areas at the Red Roof Inn and the reasonableness of the actions of Ms. Whittington as she walked between her room and her vehicle.
Status: Case settled
Testimony: Expert report

Case: Chapin Furniture Outlet v. Town of Chapin, et al.
Attorney: Michael S. Pauley
           Vinton D. Lide & Associates, LLC
           5179 Sunset Boulevard
           Lexington, SC  29072
Side: Defendant
Description: This case involves the placement of an electronic advertising sign in the town of Chapin, SC, in violation of a town ordinance.
Issues: The major issues are the potential for driver distraction by a programmable (content changing) electronic sign and whether the Town of Chapin was reasonable in excluding the placement of such signs within their town limits.
Status: Motion for summary judgment for defendants granted
Testimony: Expert report
Expert Witness Summary - Maddox

Case: Shelia Green, et al., v. SCDOT and Ireather Graves
Attorney: William P. Hatfield
The Hyman Law Firm, LLP
170 Courthouse Square
Florence, SC 29503
Side: Plaintiff
Description: This case involves the crash of the plaintiffs into another vehicle at an intersection on a rural road in South Carolina.
Issues: The major issues are the design of the intersection, the visibility of oncoming vehicles turning across traffic, and the reaction time available to oncoming vehicles.
Status: Trial complete
Testimony: Trial (State Court)

Case: Blackburn v. SCDOT
Attorney: Miriam Carroll
Lucas, Denning & Ellerbe, P.A.
208 North Webb St.
Selma, NC 27576
Side: Plaintiff
Description: This case involves a traffic crash in which a drunk driver ran a stop sign, entered a major two-lane road, and caused a crash that killed three people.
Issues: The major issue in this case involves the design of the intersection, specifically the lack of a traffic signal. The intersection has been the source of a number of complaints from local residents and is considered to be dangerous because of the lack of visibility of oncoming traffic.
Status: Case Settled
Testimony: Deposition

Case: Bailey v. Southern Equipment Company
Attorney: Sarah Ellerbe
Lucas, Denning & Ellerbe, P.A.
208 North Webb St.
Selma, NC 27576
Side: Plaintiff
Description: This case involves a traffic crash in which a cement truck turned in front of the plaintiff at a four-way intersection.
Issues: The only issue in this case involves possible assignment of contributory negligence on the part of the plaintiff. The defendants have already admitted fault for the incident. The major human factors issues are the expectation of the plaintiff regarding the cement truck, the visibility of the truck, and the reaction time available before the crash.
Status: Case settled
Testimony: Deposition
Expert Witness Summary - Maddox

Case: Dean, et al., v. Raytheon  
Attorney: Mary Schiavo  
Motley Rice, LLC  
28 Bridgeside Blvd  
Mt. Pleasant, SC  29465  
Side: Plaintiff  
Description: This case involves an aircraft crash that was the result of a maintenance error. The error essentially reversed the operation of the pitch trim control on the aircraft. Two pilots were ferrying the aircraft to a maintenance station. The aircraft became uncontrollable after takeoff and eventually crashed into the water near Hyannis, MA.  
Issues: The maintenance procedure during which the pitch trim control was reversed was described in a maintenance manual. The procedure included a drawing of the pitch trim control drum. The drawing was reversed from its actual orientation in the airplane. The primary issue related to the contribution of the incorrect procedure (and the overall complexity of the pitch trim control cable layout) to the maintenance error.  
Status: Case settled  
Testimony: Deposition

Case: Alt v. HBE Corp.  
Attorney: Claire Murray  
Weinbert, Wheeler, Hudgins, Gunn & Dial, LLC  
950 East Paces Ferry Road  
Atlanta, GA  30326  
Side: Defendant  
Description: This case involved an individual who was injured after falling down a flight of stairs in a hotel. The incident occurred during the weekend of a very popular football game noted for its party atmosphere. It occurred in the early morning hours after the football game. The plaintiff claimed that she stepped on a beer bottle that had been left on the stairs.  
Issues: The main issues were the behavior of the people with regard to descending stairs, the visibility of a beer bottle on the stairs on which the incident occurred, the lighting of the stairs, and the design and construction of the stairs.  
Status: Case settled  
Testimony: Verbal expert report

Case: Pringle/Gragg v. Fernandez  
Attorney: Steven Barnard  
Barnett & Barnard, PA  
4601 Sheridan Street  
Suite 505  
Hollywood, FL  
Side: Defendant  
Description: This case involved injuries to a young man who was struck by the defendant’s vehicle. The defendant and bystanders claimed the young man ran into the street from behind a stopped bus. The defendant claimed he never saw the young man until after he was struck by the defendant’s vehicle.  
Issues: The primary issues in this case relate to driver visual behavior while driving, the amount of possible detection and reaction time in the circumstances of the incident, and the most likely scenario for the young man’s behavior leading up to the collision.  
Status: Case settled  
Testimony: Verbal expert report
Expert Witness Summary - Maddox

2000 - 2005

Case: Wolfe v. Ellis and WVa Dept. of Transportation
Attorney: Al Karlin
       174 Chancery Row
       Morgantown, WV  26505
Side: Plaintiff
Description: This case involves an individual who was injured while servicing a multi-piece rim on a large truck. The shop in which the tire was being serviced did not have the proper equipment to work on multi-piece rims, nor was the individual who was injured trained in this type of work.
Issues: The primary issues are the training of the individual who was injured and the necessity of having proper equipment and supervision in place to ensure multi-piece tire rims can be serviced safely.
Status: Case Settled
Testimony: Consultation only

Attorney: Philip Coulter
       Coulter & Coulter
       406 First Avenue, SW
       Suite 306
       Roanoke, VA  24006
Side: Plaintiff
Description: This case involves injuries suffered by an automobile driver who ran into the rear of a tractor-trailer that was illegally parked on the shoulder of a rest stop entrance on an interstate highway.
Issues: The primary issues in this case are the perceptual and cognitive capabilities of automobile drivers and their ability to determine that a vehicle they are approaching from the rear is stopped or moving (the incident happened when it was dark).
Status: Case Settled
Testimony: Expert report

Case: Young v. Thompson Electric
Attorney: Jerome Linnen
       Linnen Company, L.P.A.
       789 West Market Street
       Akron, OH  44303
Side: Plaintiff
Description: This case, brought by the heirs of an electrician, relates to fatal injuries received by the electrician while wiring a medium voltage electrical switch.
Issues: The primary issues relate to the duty of a manufacturer to warn of improper installation techniques used with their product, especially when they are made aware that the product purchaser is contemplating improper installation techniques.
Status: Case Settled
Testimony: Deposition
Case: Atkinson v. SC Dept. of Public Transportation
 Attorney: William Hatfield
   The Hyman Law Firm
   170 Courthouse Square.
   Florence, SC 29503
 Side: Plaintiff
Description: This case involves injuries suffered by an automobile driver when she collided with another vehicle while making a left turn at a major intersection in a two-lane highway. Neither she nor the oncoming driver claimed to have seen the other vehicle, nor did either driver take evasive action.
Issues: The primary issues in this case are the design of the intersection, obstructions to vision near the intersection, and the perceptual and cognitive capabilities of drivers making turns at intersections.
Status: Case Settled
Testimony: Consultation only

Case: Ratnesar vs. Barnhill Contracting Co. and Delta Contracting, Inc.
 Attorney: Mark Sternlicht
   Beaver Holt Sternlicht & Courie, PA
   230 Green St.
   Fayetteville, NC 28302
 Side: Plaintiff
Description: This case involves injuries suffered by a motorcycle driver in an incident in which he struck the vertical edge of a railroad track that had been exposed by a construction crew preparing to spread asphalt at the intersection of two major roads.
Issues: The primary issues in this case are the adequacy of warnings placed near the construction zone and the visibility of the vertical edge of the railroad track (the incident happened when it was dark).
Status: Case Settled
Testimony: Consultation only

 Attorney: John E. Warren, III
   Warren & Associates, L.L.C.
   105 19th Street East
   Jasper, AL 35502
 Side: Plaintiff
Description: This case involves injuries sustained by an individual working on a roof-bolting machine in an underground coal mine.
Issues: The primary issues in this case are the design of the underground roof bolting machine and its foreseeable use in mining operations. Secondary issues relate to the ability of operators to see an unsafe condition involved the location of roof bolts relative to moving parts of the roof-bolting machine.
Status: Case Settled
Testimony: Deposition
Case: Burr vs. General Motors  
Attorney: David Kirby  
Kirby & Holt  
3201 Glenwood Ave., Suite 100  
Raleigh, NC  27612  
Side: Plaintiff  
Description: This case involves injuries suffered during an unwanted acceleration incident in a Chevrolet pickup truck.  
Issues: The major issue in the case relates to the likelihood that the unwanted acceleration was the result of pedal confusion or misapplication. A secondary issue is the ability of automobile maintainers to accurately diagnose intermittent failures.  
Status: Trial Complete  
Testimony: Trial (State Court)  

Case: Blanton vs. Cleveland Regional Hospital, et al.  
Attorney: Brian Davis  
Davis & McCabe, PA  
7325 East U.S. 64 Highway  
Knightdale, NC 27545  
Side: Plaintiff  
Description: This case involved injuries suffered while a patient in the Cleveland Regional Hospital.  
Issues: The ability of humans to adapt to various levels of illumination, ability of nursing staff to see objects in a darkened room, general standards of safety, safety processes, compliance with JCAHO reporting requirements.  
Status: Case Settled  
Testimony: Deposition  

Case: Maher vs. Red Roof Inn  
Attorney: John McCabe  
Davis & McCabe, PA  
7325 East U.S. 64 Highway  
Knightdale, NC  27545  
Side: Plaintiff  
Description: This case involves injuries suffered in a fall on the outside steps at a Red Roof Inn in Raleigh, NC.  
Issues: Perception of water on steps, standard of care in ascending/descending stairs, ability to recover from fall once it is initiated, expectation of traction on stairs, human locomotion while climbing/descending stairs, duty to warn.  
Status: Case Settled  
Testimony: Deposition
Case: City of Dallas, et al., vs. Explorer Pipeline Company  
Attorney: John Clayton  
Jackson Walker, L.L.P.  
1100 Louisiana St., Suite 4200  
Houston, TX 77002  
Side: Defendant  
Description: This case involves property damage caused by a refined product pipeline rupture and subsequent spill.  
Issues: Human error and the post-rupture behavior of control room technicians as they attempted to diagnose the cause of pipeline anomalies related to the rupture.  
Status: Trial Complete  
Testimony: Deposition

Case: Frattone v. WalMart, Inc.  
Attorneys: Brian Davis and John McCabe  
Davis & McCabe, P.A.  
7325 East U.S. 64 Highway  
Knightdale, NC 27545  
Side: Plaintiff  
Description: This case involved an injury caused by slipping and falling on a wet floor in a WalMart discount store.  
Issues: The specific issues I am addressing in this case are the visibility of water on the floor and the ability of the person who slipped on the floor to recover from the slip prior to falling and striking the floor.  
Status: Trial Complete  
Testimony: Deposition and Trial

Attorneys: Brian Davis and John McCabe  
Davis & McCabe, P.A.  
7325 East U.S. 64 Highway  
Knightdale, NC 27545  
Side: Plaintiff  
Description: This case involves an injury caused by slipping and falling on an icy exterior stairway. Prevailing climatic conditions caused ice to form on the exterior wooden steps. Part of the stairway is covered and part is exposed to the elements.  
Issues: The issues I addressed in this case include the visibility of ice on the exterior stairway, the probability that the injured person should have expected ice to be present on the stairway, the expectation that the injured person would have and could have used the stair railing, the role of the railing in potentially preventing the injuries sustained in the fall, and the biomechanical mechanisms involved in descending stairs.  
Status: Case Settled  
Testimony: Verbal expert report
**Case:** Gravely v. George Fischer Foundry Company, Inc.  
**Attorney:** Jeffrey H. Krasnow  
Krasnow & Associates  
301 West Campbell Avenue  
Roanoke, VA  24002  
**Side:** Plaintiff  
**Description:** Mr. Gravely was seriously injured while cleaning the vent holes in a sand casting machine in a foundry. The design of the casting machine includes two halves of a mold that are pressed together by hydraulic pistons. During the vent cleaning operation, the two halves are separated and held apart by hydraulic mechanisms. The system lost power while Mr. Gravely was positioned between the two mold halves. This allowed the top half of the mold to descend and crush Mr. Gravely between it and the bottom half of the mold.  
**Issues:** The primary issue I have been asked to address is the design of the molding machine and whether its design is appropriate for the tasks that would normally be performed as part of its operation. This issue also includes a number of side issues, including the ability of the casting machine to accommodate the range of body sizes of its operators, the expectation on the part of the foundry operators concerning the cleaning task in which Mr. Gravely was engaged, Mr. Gravely’s training regarding the cleaning task, etc.  
**Status:** Resolved  
**Testimony:** Expert report
1995 – 1999

**Case:** Elliott et al., v. JH Fletcher, et al.

**Attorney:** Gary M. Lang  
Feldstein Grinberg Stein & McKee  
428 Boulevard of the Allies  
Pittsburgh, PA  15219

**Side:** Plaintiff  
**Description:** This case involves a severe injury caused by an improper valve replacement on a roof-bolting machine. The incorrect valve allowed excess hydraulic pressure to lift the front of the machine. When pressure was released, the machine dropped several inches, hitting the worker with a protective canopy.

**Issues:** I was asked to evaluate several human perception and performance issues, including the likelihood that workers would recognize the improper valve as a safety hazard, whether they would appreciate the need to modulate the control handle on the valve, and whether the mechanics who replaced the valve bank would have (or should have noticed) any physical differences between the original and replacement valve banks.

**Status:** Unknown  
**Testimony:** Deposition

**Case:** Salvatore v. ValuJet Airlines, Inc., et al.

**Attorney:** A. Thomas Stubbs  
545 North McDonough St., Suite 201  
Decatur, GA  30030

**Side:** Plaintiff  
**Description:** This case involves the death of one of the plaintiff’s relatives in an airplane crash. The aircraft involved in the accident became uncontrollable after an in-flight fire in the cargo hold burned through critical control elements.

**Issues:** I was asked to determine whether the corporate structure and culture of the airline directly or indirectly contributed to the conditions that allowed hazardous cargo, which came from another of the airlines own airplanes, to be improperly packaged, labeled, and loaded on the accident aircraft.

**Status:** Case Settled  
**Testimony:** Deposition

**Case:** Various Plaintiffs v. UPS/Toppan Moore/II Morrow

**Attorney:** James D. Hibbard  
Bullivant Houser Bailey  
300 Pioneer Tower  
888 SW Fifth Avenue  
Portland, OR  97204

**Side:** Defendant (Toppan Moore)  
**Description:** This case involved allegations of cumulative trauma (repetitive stress) injuries as a result of using a portable data entry device provided to UPS drivers, namely the Delivery Information Acquisition Device (DIAD). The original DIAD units were built by Toppan Moore, a Japanese manufacturer, based on specifications and requirements developed by UPS.

**Issues:** There are a number of issues related to the quality of ergonomic design of the DIAD. However, I was asked specifically to determine whether Toppan Moore was, in fact, the “designer” of the original DIAD units or whether UPS was the de facto designer and Toppan Moore simply the implementers of UPS’ design.

**Status:** Case Settled  
**Testimony:** Deposition
Case: Fink v. Eimco
Attorney: Michael J. Healey
Healey, Davidson & Hornack, PC
429 Fourth Avenue, 5th Floor
Pittsburgh, PA 15219
Side: Plaintiff
Description: This case involves a serious injury incurred by an individual operating a motorized scoop in a low-seam coal mine. The operator lowered the scoop to the floor of the mine, causing the body of the machine to be raised against the mine roof. The operator was caught between the mine roof and the machine.
Issues: Design of the controls and displays, design of the hydraulic system, design of the operators station in the device, expected behavior on the part of the operator, visibility of the scoop position, training
Status: Case Settled
Testimony: Expert report

Case: Taylor v. Overnite Transportation, Inc., et al.
Attorney: Albert M. Orgain, IV
Sands Andersen Marks & Miller
PO Box 1998
Richmond, VA 23218
Side: Defense
Description: This case involved an accident in which a large tractor trailer had been involved in a minor accident at night. Because of the layout of the road shoulders, the driver could not pull completely off the highway. The plaintiff, who was then 16 years old, ran into the back of the parked trailer and suffered severe injuries.
Issues: Visibility of the tractor trailer, probability that the plaintiff could have known that the tractor trailer was not moving and was partially in the roadway, reaction times, anticipated driver behavior on the part of both the truck driver and the plaintiff, visual perception.
Status: Case Settled
Testimony: Verbal expert report

Case: Luck v. GSSW, et al.
Attorney: Tyrus V. Dahl, Jr.
Womble Carlyle Sandridge & Rice
200 West Second Street
Winston-Salem, NC 27102
Side: Plaintiff
Description: This case involves a slip and fall incurred by the plaintiff on an ice-covered apartment staircase. The fall caused serious spinal injuries.
Issues: Design of the staircase, probability that plaintiff could have visually (or otherwise) detected the presence of ice, foreseeable actions on the part of the plaintiff to avoid the fall or reduce the severity of the injuries he suffered.
Status: Summary judgment granted
Testimony: Deposition
Case: Moore v. General Motors, Inc.
Attorneys: Joseph E. Downs/Jeffrey Lisson
PO Box 408
King, NC 27021
Side: Plaintiff
Description: This case involves an automobile accident in which the plaintiff's seat back apparently deflected in a relatively minor rear-end impact, causing severe injuries.
Issues: Product design, warnings, foreseeable behavior, applicable standards
Status: Resolved at trial
Testimony: Deposition Trial (Federal Court)

Case: Harris v. Fletcher Equipment Co.
Attorneys: Alan Karlin and Barbara Fleishauer
174 Chancery Row
Morgantown, WV 26505
Side: Plaintiff
Description: This case involves a severe hand injury incurred by an individual working in an underground coal mine. The equipment involved in this case is a roof bolting machine.
Issues: Equipment and workstation design, foreseeable behavior, warnings
Status: Case Settled
Testimony: Deposition

Case: Smith v. Fletcher Equipment Co.
Attorneys: Alan Karlin and Barbara Fleishauer
174 Chancery Row
Morgantown, WV 26505
Side: Plaintiff
Description: This case involves the death of a person working in an underground coal mine. Mr. Smith died of injuries sustained while operating a roof bolting machine.
Issues: Equipment and workstation design, foreseeable behavior, warnings
Status: Case Settled
Testimony: Deposition

Case: Motsinger v. Hyundai Motor Company
Attorney: Joseph E. Downs
PO Box 408
King, NC 27021
Side: Plaintiff
Description: Ms. Motsinger was injured after being ejected from her automobile during a single-vehicle accident.
Issues: Equipment design, foreseeable behavior, anthropometry, warnings.
Status: Unknown
Testimony: Deposition
Case: Cope v. Glaxo Wellcome, Inc.
Attorney: Charles A. Bentley, Jr., & Associates
    3518 Westgate Drive
    Durham, NC  27707
Side: Plaintiff
Description: Mr. Cope died following an overdose of chemotherapy medication.
Issues: Product packaging, experimental protocol, foreseeable behavior, warnings
Status: Case Settled
Testimony: Consultation only

1994-1995

Case: Hayes v. Wrenn Handling, Inc.
Attorney: B. Ervin Brown, II
    Moore & Brown
    8 West Third St., Suite 240
    Winston-Salem, NC  27577
Side: Plaintiff
Description: Mr. Hayes was injured while operating a fork lift in a warehouse.
Issues: Equipment and workstation design, training
Status: Unknown
Testimony: Deposition

1992-1993

Case: Baker v. Firestone, et. al. (Kelsey-Hayes, Goodyear, Motor Wheel Corp.)
Attorney: John Hash
    King, NC
Side: Plaintiff
Description: Mr. Baker was seriously injured as an onlooker in a garage where a two-piece truck rim was being serviced. The rim explosively disassembled as it was being serviced.
Issues: Product design, training
Status: Unknown
Testimony: Deposition

1991-1992

Case: Raup v. General Motors
Attorney: Don Molloy
    10 N. 27th St., Suite 350
    Billings, MT  59103
Side: Plaintiff
Description: Mr. Raup was seriously injured while servicing a two-piece wheel rim attached to a school bus. This rim was the same type as that involved in the Baker v. Firestone case.
Issues: Product design, foreseeable behavior, warnings
Status: Case Settled
Testimony: Deposition
Expert Witness Summary - Maddox

**Case:** Westchem v. Ford Motor Company  
**Attorney:** Rich Clapp  
Letnes, Marshall, Fiedler & Clapp, Ltd.  
401 DeMers Avenue, Suite 102  
Grand Forks, ND 58206

Gregory Fowler  
Shook, Hardy & Bacon  
1200 Main St.  
Kansas City, MO 64105

**Side:** Defendant  
**Issues:** System design, foreseeable behavior, warnings  
**Status:** Case Settled  
**Testimony:** Expert report

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**1990-1991**

**Case:** Workman v. General Motors and Firestone  
**Attorney:** John Hash  
King, NC

**Side:** Plaintiff  
**Description:** Mr. Workman was killed and his son severely injured while servicing a two-piece wheel rim from a dump truck, which they owned and operated. This rim is the same type as that involved in the other two wheel rim cases described above.  
**Issues:** Product design, foreseeable behavior, warnings.  
**Status:** Unknown  
**Testimony:** Affidavit