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South Georgia Jury Awards \$3.3M to Sod Farmer Hurt in McNugget Truck Collision

KATHERYN HAYES TUCKER

A SOD FARMER HAS WON A \$3.3 million verdict for injuries from a truck collision in the South Georgia town of Camilla.

Following a weeklong trial before Mitchell County State Court Judge Richard Waters Jr., the jury returned a \$4.75 million verdict, awarding \$4 million to William Ralph Murphy and \$750,000 to his wife, Deborah, for her loss of consortium claim. But the award was reduced because jurors split the fault for the accident: 30 percent for the plaintiff and 70 percent for defendant Norman Larue.

Murphy suffered six broken ribs, a broken sternum, a broken ankle and leg, a separated shoulder and cuts to his face and head plus an



L-R Kate and Matt Cook

John Disney/Daily Report

aggravation of a degenerative condition in his neck, causing him lasting pain, according to lead plaintiffs' attorney Matthew Cook of Cook Law Group in Gainesville. He tried the case with his wife and law partner, Kate Cook, along with Todd Butler of

Cairo and Jay Powell of Powell & Irwin in Camilla. Murphy's claim for medical bills totaled \$121,000.

The injuries have left Murphy, now 55, unable to continue the physically demanding work of sod farming, Cook said. The business involves growing grass

and harvesting it in pieces to transplant and create ready-made grass for lawns or fields.

Cook said Murphy's family has stepped in to help. "He's worked hard and scratched and made a living out of the South Georgia dirt as best he could," Cook told the jury. But the wreck, "broke Ralph Murphy all to pieces."

The jury deliberated for about 40 minutes, according to Cook. He said he was told it was by far the largest personal injury verdict in the county.

Cook had asked the jury for more: \$8 million for Murphy and \$2 million for his wife. Cook said he told the jury, "Norman Larue got off scot free and Ralph Murphy is sentenced to a life of pain and problems."

The defense argued that neither driver saw the other before their vehicles crashed in the predawn darkness of Feb. 15, 2011. They both had driven into fog. The defense contended that the plaintiff was negligent because he was driving too fast for the conditions, according to summaries written for the court.

Larue was driving a truck loaded with frozen chicken for his employer, Gary Emery of Emery

Farm and Transportation, based in Crossville, Tennessee.

Murphy had left his farm in his tractor-trailer with a load of sod to be delivered to Macon.

Larue was defended by Mary Katz of Chambless Higdon Richardson Katz Griggs in Macon. His employer was defended by Fred Valz III of Carlock Copeland & Stair. The defense attorneys couldn't be reached for comment.

Cook said they fought on every point. "It was kind of a scorched earth defense," he said.

On the morning of the crash, Larue had been driving all night from Tennessee to Camilla, according to Cook. The wreck happened on U.S. Highway 19 just as Larue approached his destination—a Keystone Foods Equity Group food processing plant (the biggest employer in Mitchell County with 2,570 jobs, producing countless McDonald's Chicken McNuggets, according to the county's website).

Larue stopped and looked before starting his left turn into the plant, but he couldn't see Murphy coming because of the fog, according to the defense summary.

Cook said Larue's rig blocked two lanes as it began the turn,

"basically stopping in the road." Murphy's sod truck ran through Larue's chicken trailer, spilling dirt and nuggets all over U.S. 19. "It looked like a chicken explosion," Cook said.

One of the major battles in the trial was over whether Larue was driving under the influence of drugs. He said no and that he never used drugs, according to both sides. Police reported he tested positive for methamphetamine, but they did not charge him with driving under the influence because they delayed testing him for four hours after the wreck and it was too late to connect the results to the wreck.

Murphy tested negative for drugs. But Cook said defense lawyers accused him of being under the influence, calling it "a case of irony and opposites."

"A truck driver on meth found himself in a heavy fog," Cook said. "Despite a plaintiff's negative drug test, he was being accused of using drugs while the defendant who had a positive test was denying his drug use."

The case is *Murphy v. Emery*, No. 13SC008. 