

Superior Court of Indiana, Miami County.

WELCH v. COMBS

52D01-041 L-CT-468

DATE OF VERDICT/SETTLEMENT: January 10, 2008

TOPIC: AUTO NEGLIGENCE - A WOMAN RIDING AS A PASSENGER WITH HER MOTHER WAS COMPENSATED FOR INJURIES SHE RECEIVED IN A FAILURE-TO-YIELD CRASH WITH ANOTHER MOTORIST

SUMMARY:

Verdict: \$4,300 for plaintiff

ATTORNEYS:

Plaintiff: Charles R. Clark, *Beasley & Gilkison, LLP.*, Muncie

Defendant: [W. Brent Threlkeld](#), *Threlkeld Reynolds, LLP.*, Indianapolis

JUDGE: [J. Banina](#)

RANGE AMOUNT: \$1-49,999

STATE: Indiana

COUNTY: Miami

FACTS:

On 11-21-02, Kirsten Welch was riding as a front seat passenger in a vehicle being driven by her mother. The two were out doing a bit of "mystery shopping" at the local McDonald's. As they drove west on Main Street in Peru, Mable Combs approached from the opposite direction.

The parties reached the intersection with Broadway at the same time. Combs attempted to make a left turn but instead collided with Welch's vehicle. Welch suffered injuries to her foot, back, and knees. Her medical expenses are unknown.

Welch filed suit against Combs and blamed her for causing the crash. Welch's husband, Lucas Welch, also presented a derivative claim for his loss of consortium. However, he later dismissed that claim on the first day of trial.

Combs defended the case and disputed the nature and extent of Welch's claimed injuries. The identified medical expert for the defense was Dr. Frank Johnson, Jr., Sports Medicine, Carmel. Dr. Johnson's contribution consisted in performing a records review.

The case was tried for two days in Peru. The jury returned a verdict for Welch and awarded her damages of \$4,300. The court entered a judgment for that amount.

The jury in the case asked two related questions: "Can we ask if any Auto **Insurance** money or monies has [*sic*] been paid or did they have Auto **Insurance**? And why wasn't it turned in to Auto?" The court's response to the questions is not reflected in the record.

Indiana Jury Verdict Reporter

Miami, Superior

2008 WL 631184 (Ind.Super.)

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