NICOLE H. WILLIAMS : NUMBER: 571,087-B

VERSUS : FIRST JUDICIAL DISTRICT COURT

WANDA SUE GANDY AND : CADDO PARISH, LOUISIANA

ALLSTATE INSURANCE

 **REASONS FOR JUDGMENT**

Trial was held February 18, 2014. Testimony was adduced from Nicole Williams. Although present in court, Wanda Sue Gandy was not called to provide testimony. Numerous exhibits were admitted including photographs, medical and physical therapy records, a pharmacy statement and a “crash report”.

For reasons that follow, the Court concludes that Ms. Gandy was at fault in the rear-end automobile accident of March 30, 2013, that the negligence of Ms. Gandy caused the injuries and pain for which Ms. Williams received treatment from Brian Mills, M.D. and Adam Brewer, PT and that monetary general damages should be set in the amount of $8,500.00 and special damages set at $2,586.84.

Ms. Williams, 57 years old, is a 15 year employee of the U.S. Post Office. Having carefully listened to Ms. Williams’ testimony and having examined her demeanor, the Court finds Ms. Williams to be 100% truthful and credible.

 Ms. Williams described the force of the impact and the resulting injuries. The medical and physical therapy records substantiate her testimony. Furthermore, as to the force of impact, which the defense characterizes as minor, Ms. Williams is the only person who testified and her testimony therefore stands unrebutted. As a postal employee, Ms. Williams is required to be on her feet a significant part of her work day. Because she must work around machinery, she is not allowed to be on medication for pain. The Court takes all of those factors into consideration and accepts her testimony as to the extent and duration of her pain.

The Court sets special damages in the amount of $2,586.84 and general damages in the amount of $8,500.00.

Counsel shall submit a formal Judgment in accordance with La. Dist. Ct. R. 9.5.

Signed this 18th day of February, 2014, in Shreveport, Caddo Parish, Louisiana.

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 SCOTT J. CRICHTON

 DISTRICT JUDGE

DISTRIBUTION:

William F. Kendig, Counsel for Nicole H. Williams

Jessica Crain, Counsel for Allstate Insurance Company