

**Expert Witness Summary**

**for**

**Michael E. Maddox, PhD, CHFP  
(5/14/25)**

**2025**

**Case:** Bivens v. Favor, et al.

**Attorney:** Ken Wilson  
Beasley Allen  
2839 Paces Ferry Road SE  
Suite 400  
Atlanta, GA 30339

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver and passengers of a pickup truck that struck the rear of a service vehicle when it turned left into their path as they were trying to pass it. The crash occurred at night.

**Issues:** The human factors issues in this case include the visibility of both the service truck and the passenger vehicle, the attentiveness of both drivers, the ability of the driver of the passenger vehicle driver to avoid colliding with the service truck, etc.

**Status:** Case Settled

**Testimony:** None

## Expert Witness Summary - Maddox

**2024**

**Case:** Khajautia v. RIPA, et al.

**Attorney:** John Trujillo

Trujillo Civil Litigation  
9800 4<sup>th</sup> Street N  
Suite 108  
Baypoint Commerce Center  
St. Lucie Bldg  
St. Petersburg, FL 33702

**Side:** Plaintiff

**Description:** This case involves the death of a motorist who drove into the back of an excavator placed at the end of a paved roadway at night.

**Issues:** The human factors issues in this case include the ability of the motorist to see and appreciate the end of the paved road and the excavator, the perception reaction time of the motorist, the lack of physical barriers and signage to indicate the end of the roadway, etc.

**Status:** Case Active

**Testimony:** Deposition

**Case:** Wolt v. Embankscape, et al.

**Attorney:** Justin Smith

Sloan, Hatcher, Perry, Runge, Robertson & Smith  
101 East Whaley Street  
Longview, TX 75601

**Side:** Plaintiff

**Description:** This case involves injuries to a maintenance technician who was servicing a remote-controlled lawnmower. The lawnmower suddenly moved backwards and ran over him.

**Issues:** The human factors issues in this case include the design process used for the remote-controlled lawnmower, the calibration process for the movement actuators, the lack of human error risk analysis during design, misleading documentation, etc.

**Status:** Case Active

**Testimony:** Deposition

**Case:** Moore v. Baxter Healthcare, et al.

**Attorney:** Frank Bayuk

Bayuk Pratt  
4401 Northside Parkway  
Suite 390  
Atlanta, GA 30327

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when he struck the rear of a commercial box truck that had pulled back onto the highway from the right shoulder and was traveling much slower than the speed limit. The line of sight of the driver of the passenger vehicle was blocked by two vehicles ahead of him until just before the collision.

**Issues:** The human factors issues in this case include the visibility of the box truck and the approaching vehicles, the ability of the driver of the oncoming vehicle to judge the speed of the box truck, the reactions of the driver of the oncoming vehicle, etc.

**Status:** Case Active

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Lunsford v. Smith Transport, et al.

**Attorney:** Brian Davis  
Davis Law Group  
135 Cherry Street  
Asheville, NC 28801

**Side:** Plaintiff

**Description:** This case involves injuries to the driver of a pickup truck that ran into the side of a tractor-trailer that pulled out in front of him to turn left. The trailer blocked both lanes of travel. The crash occurred at night.

**Issues:** The human factors issues in this case include the visibility of the tractor and trailer, the effects of disability glare caused by the headlights of the tractor-trailer, the angle of the trailer and the resultant visibility of conspicuity tape, the ability of the tractor-trailer driver to see the headlights of the oncoming vehicle, etc.

**Status:** Case Settled

**Testimony:** None

**Case:** McKinley v. Larionov, et al.

**Attorney:** Dominic Loverde  
Power Rogers  
70 West Madison Street  
Suite 5500  
Chicago IL 60602

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver when she struck part of a tractor-trailer tire in a high-speed roadway, lost control of her vehicle, and struck the rear of the commercial truck that had lost that tire. The crash happened at night.

**Issues:** The human factors issues in this case include the visibility of the tire carcass and the tractor-trailer, the likely glance pattern of the passenger vehicle driver, the time available to the passenger vehicle driver to see and avoid the tire carcass, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Shafer v. Dollar General

**Attorney:** Jennifer Taylor  
Forbes Law Offices  
118 Kanawha Blvd. East  
Charleston, WV 25301

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a customer who tripped over a walk-off mat as she entered a Dollar General Store

**Issues:** The human factors issues in this case include the mechanism of the trip, the state of the entry walk-off mat, the likelihood that the customer would be looking at the edge of the walk-off mat as she entered the store, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Knight v. Boone

**Attorney:** Nate Thompson  
Barnes Trial Group  
1104 North Howard Avenue  
Tampa, FL 33607

**Side:** Plaintiff

**Description:** This case involves the death of a motorcycle driver when he ran into a passenger car that turned left across his travel lane when he had the right of way.

**Issues:** The human factors issues in this case include the visibility of the motorcycle and the passenger vehicle, the timing of the passenger vehicle's driver's turning maneuver, the glance pattern of the motorcycle driver, the time available for the motorcycle driver to take evasive action, etc.

**Status:** Case Active

**Testimony:** Deposition

**Case:** DeLeon v. Diaz

**Attorney:** Madeline Vaughn  
Barnes Trial Group  
1104 North Howard Avenue  
Tampa, FL 33607

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a motorcycle driver who struck a utility van being towed by a pickup truck. The truck and van crossed the motorcyclists lane of travel on a 4-lane roadway and the motorcycle struck the front of the trailer.

**Issues:** The human factors issues in this case include the visibility of the motorcycle and the pickup truck/trailer combination, the timing of the pickup truck driver's crossing maneuver, the glance pattern of the motorcycle driver, the time available for the motorcycle driver to take evasive action, etc.

**Status:** Case Active

**Testimony:** Deposition

**Case:** Estrada v. Marks Crane & Rigging, et al.

**Attorney:** Jon Clark  
Glasheen, Valles & Inderman  
1703 West Avenue  
Austin, TX 78701

**Side:** Plaintiff

**Description:** This case involves the death of a motorist who struck the rear of a slow-moving crane in the travel lane of a 4-lane, high-speed highway.

**Issues:** The human factors issues in this case include the visibility of the crane and the passenger vehicle, the actions of the driver of the crane, the ability of the driver of the passenger vehicle to perceive the hazard posed by the crane, the timeliness of the evasive action taken by the driver of the passenger vehicle, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Alarcon v. W.B. Mason, et al.

**Attorney:** Ben Gideon

Gideon Asen

95 Main Street

4<sup>th</sup> Floor

Auburn, ME 04210

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a college student when a delivery truck backing on a walkway on campus ran over her. The truck approached her from the rear as she was walking.

**Issues:** The human factors issues in this case include the visibility of the student to the driver of the truck, the ability of the student to perceive the backup alarm, the expectations of the student and the driver, the areas behind the truck that were blind to the driver, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

### 2023

**Case:** Isom v. Hugo Trucking, et al.

**Attorney:** Drew Hill  
Blasingame, Burch, Garrard & Ashley  
440 College Avenue  
Suite 320  
Athens, GA 30601

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when she struck the rear of a tractor-trailer that was stopped in her lane of travel. The crash occurred during hours of darkness.

**Issues:** The human factors issues in this case include the visibility of the tractor-trailer and the oncoming passenger vehicle, the ability of the driver of the passenger vehicle to realize the tractor-trailer was stopped, the perception-reaction time available to the driver of the passenger vehicle, etc.

**Status:** Case Settled

**Testimony:** None

**Case:** Cataffo v. Toll Properties

**Attorney:** Adam Rieth  
Barnes Trial Group  
1104 North Howard Avenue  
Tampa, FL 33607

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a person visiting a model home when she fell while stepping off a raised platform on a pool deck.

**Issues:** The human factors issues in this case include the visibility of the dropoff, the noncompliance of the step with established standards, the typical glance patterns of individuals while walking, the role of expectation with respect to pedestrian glance patterns, typical trip, fall, and recovery mechanism, et.

**Status:** Case Dismissed on Summary Judgement

**Testimony:** Deposition

**Case:** Horton v. Glynn, et al.

**Attorney:** Devlin Horton  
Horton & Mendez  
6105 Oleander Drive  
Suite 102  
Wilmington, NC 28403

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a motorist who stopped at a crosswalk and was rear-ended by another vehicle.

**Issues:** The human factors issues in this case relate to the role of flashing lights at the crosswalk on the prevention of the collision.

**Status:** Trial Complete – State Court

**Testimony:** Trial

## Expert Witness Summary - Maddox

**Case:** Caballes v. Circle K, et al.

**Attorney:** Ben Whitman  
Clark, Fountain, La Vista, Littky-Rubin & Whitman  
3601 PGA Boulevard  
Suite 300  
Palm Beach Gardens, FL 33410

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver who was trapped between her vehicle and a gasoline dispenser that had been hit by another vehicle. Gasoline ignited and caused the driver's death.

**Issues:** The human factors issues in this case relate to the location, layout, labeling, and design of the Emergency Stop (E-Stop) switches inside and outside the convenience store located near the gasoline dispensers.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Rocha v. H2Eco

**Attorney:** Tom Slater  
Pajcic & Pajcic  
One Independent Drive  
Suite 1900  
Jacksonville, FL 32202

**Side:** Plaintiff

**Description:** This case involves the death of a child passenger in a private vehicle that ran beneath a trailer that was blocking the travel lanes. The tractor-trailer driver was attempting to turn left across a four-lane highway, but stopped in the median with the trailer blocking both lanes of travel for the passenger vehicle.

**Issues:** The human factors issues include the visibility of the tractor-trailer and the passenger vehicle to their respective drivers, the time taken by the tractor-trailer to move from entering the roadway to the point it stopped with the trailer blocking traffic, the decision of the tractor-trailer driver to begin the left-turn maneuver, the sight distance in each direction for the tractor-trailer driver, the actions of the passenger vehicle driver, etc.

**Status:** Active

**Testimony:** Deposition

**Case:** Alberts v. Lowes

**Attorney:** Chris Donegan  
Barnes Trial Group  
1104 North Howard Avenue  
Tampa, FL 33607

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a truck driver while delivering windows to a Lowe's store. The dock plate was retracted while the driver was inside his trailer. When he stepped backwards, he stepped into the gap between the dock and his trailer.

**Issues:** The human factors issues include the role of expectation and the likelihood of the truck driver looking backwards when engaged in a task inside his trailer, the lack or warning that the dock plate had been retracted, the ability of the truck driver to see the partially-retracted dock plate had he looked backwards, etc.

**Status:** Active

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Acevedo v. Priority One Credit Union, et al.

**Attorney:** Steve Barnes  
Barnes Trial Group  
1104 North Howard Avenue  
Tampa, FL 33607

**Side:** Plaintiff

**Description:** This case involves the death of a pedestrian who was struck by a vehicle turning right out of a credit union parking lot. There is a contention that a hedge next to the exit blocked the exiting driver's view of oncoming traffic until she pulled up across the pedestrian crosswalk.

**Issues:** The human factors issues include the role of the hedge in limiting the exiting driver's view of oncoming traffic, the driver's view of the pedestrian, the pedestrian's view of the driver, the pedestrian's decision to walk in front of the exiting driver, etc.

**Status:** Active

**Testimony:** Deposition

**Case:** Soto v. CFI, et al.

**Attorney:** Shawn Mechler  
Crosley Law Firm  
3303 Oakwell Court  
Suite 200  
San Antonio, TX 78128

**Side:** Plaintiff

**Description:** This case involves the death of the driver of a passenger vehicle that ran into the back of a slow-moving tractor-trailer when it moved from the shoulder to the travel lane. The crash occurred at night.

**Issues:** The human factors issues include the visibility of the tractor-trailer and the passenger vehicle, the visual cues available to the driver of the approaching passenger vehicle, the time available to the approaching passenger vehicle driver to take evasive action, the actions taken by the tractor-trailer driver and the driver of the approaching passenger vehicle, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Larson v. Morningstar Transportation, et al.

**Attorney:** Eric Penn  
The Penn Law Firm  
102 S. Ragsdale Street  
Jacksonville, TX 75776

**Side:** Plaintiff

**Description:** This case involves the death of a commercial truck driver when he struck an overturned tractor-trailer that was blocking both travel lanes and the shoulders of an Interstate highway. The crash occurred at night.

**Issues:** The human factors issues include the visibility of the overturned tractor-trailer, the visual cues available to the approaching commercial truck driver, the time available to the approaching truck driver to take evasive action, the actions taken by the approaching driver, etc.

**Status:** Active

**Testimony:** Deposition



## Expert Witness Summary - Maddox

**Case:** Martinez v. Arcosa Aggregates, et al.

**Attorney:** Luis Fabrega  
The Ammons Law Firm  
13700 Montrose Blvd.  
Houston, TX 77006

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver when she struck the corner of a bulldozer blade that protruded into her lane as she passed the tractor-trailer hauling the bulldozer on a narrow bridge.

**Issues:** The human factors issues include the visibility of the overhanging corner of the bulldozer blade, the ability of the tractor-trailer driver to see the oncoming car before he entered onto the bridge, the responses of both drivers prior to and upon entering onto the bridge, the timing of the response of the passenger vehicle driver, etc.

**Status:** Case Settled

**Testimony:** Expert Report

**Case:** Lunsford v. Walock, et al.

**Attorney:** J.L. King, II  
The King Firm  
1603 U.S. Hwy 41 N  
Tifton, GA 31793

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when he struck the back of a tractor-trailer that was making a U-turn and stopped with some of the trailer still in a travel lane. The crash happened at night

**Issues:** The human factors issues include the visibility of the turning tractor-trailer, the expectations of the passenger vehicle driver, the actions taken by the passenger vehicle driver, the decision process of the tractor-trailer driver, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** DiBlasi v. Grasso Farms, et al.

**Attorney:** Steve Marino  
Marino Associates  
301 Wharton Street  
Philadelphia, PA 19147

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the passenger on an ATV that crashed into a mobile home during hours of darkness.

**Issues:** The human factors issues include the decision of the Plaintiff to ride as a passenger on the ATV, the common practice of ATV users regarding riding as a passenger, the effectiveness of warnings prohibiting passengers on the ATV, etc.

**Status:** Active

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** DiBlasi v. BRP, et al.

**Attorney:** Steve Marino

Marino Associates

301 Wharton Street

Philadelphia, PA 19147

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the passenger on an ATV that crashed into a mobile home during hours of darkness.

**Issues:** The human factors issues include the decision of the Plaintiff to ride as a passenger on the ATV, the common practice of ATV users regarding riding as a passenger, the effectiveness of warnings prohibiting passengers on the ATV, etc.

**Status:** Active

**Testimony:** None

## Expert Witness Summary - Maddox

### 2022

**Case:** Griffin v. Advance Auto Parts, et al.

**Attorney:** Mike Moran  
Morgan & Morgan  
450 Blanding Blvd.  
Orange Park, FL 32073

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when she struck a delivery pickup truck that turned left across her path at a stop light.

**Issues:** The human factors issues include the visibility of both vehicles to the drivers, the actions of the driver who turned left without right of way, the responses to the turning vehicle by the driver of the passenger vehicle, etc.

**Status:** Case Settled

**Testimony:** None

**Case:** Roumillat v. Wright, et al.

**Attorney:** David Cleveland  
Clawson and Staubes  
126 Seven Farms Drive  
Suite 200  
Charleston, SC 29492

**Side:** Defendant

**Description:** This case involves the death of a young man who was lying in the road in a dark residential area at night. The young man was wearing dark clothing.

**Issues:** The human factors issues include the visibility of the person lying in the road, the ability of the vehicle driver to see and respond to the person lying in the road, the reactions of the vehicle driver, etc.

**Status:** Case Settled

**Testimony:** None

**Case:** Corrales v. Abrams, et al.

**Attorney:** Ben Whitman  
Clark, Fountain, La Vista, Littky-Rubin & Whitman  
3601 PGA Boulevard  
Suite 300  
Palm Beach Gardens, FL 33410

**Side:** Plaintiff

**Description:** This case involves the death of a tractor-trailer driver that struck another tractor-trailer that was blocking his travel lane at night.

**Issues:** The human factors issues include the visibility of the trailer in the roadway, the ability of the approaching tractor trailer to judge the speed of the slow-moving tractor-trailer he was approaching, the actions of the driver of the approaching tractor-trailer, the actions of the driver of the slow-moving tractor-trailer that was blocking the travel lane, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Morrison/Powell v. Coates

**Attorney:** Warner Hornsby  
Beasley Allen  
218 Commerce Street  
Montgomery, AL 36104

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver and passenger of a pickup truck that struck a trailer that had detached from its tractor and was blocking their travel lane at night.

**Issues:** The human factors issues include the visibility of the trailer in the roadway, the actions of the driver of the pickup truck, the actions of the driver of the tractor-trailer, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Kehoe v. Walmart

**Attorney:** Jenny Maynard  
Brown Moore & Associates  
930 East Boulevard  
Charlotte, NC 28203

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a Walmart customer when he tripped over some package strapping that protruded into the aisle in which he was walking.

**Issues:** The human factors issues include the likely tripping mechanism, the hazard posed by the protruding strapping, the contrast of the strapping with the floor covering, the typical gaze pattern for pedestrians in a benign environment, etc.

**Status:** Case Settled

**Testimony:** Expert Report

**Case:** Gregory v. Fisher-Price and Walmart

**Attorney:** Kaitlyn Fudge  
Law Offices of James Scott Farrin  
555 South Mangum Street  
Suite 800  
Durham, NC 27701

**Side:** Plaintiff

**Description:** This case involves injuries sustained by an infant when the top of a playpen/sleeper became disconnected and allowed him to fall into the playpen area and suffer anoxia.

**Issues:** The human factors issues include the design of the product, ways in which users (parents) can err when attaching the sleeper to the playpen, the visibility of connection errors made when attaching the sleeper to the playpen, parents' subjective risk associated with the use of the product, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** McFadden v. Walmart

**Attorney:** Mark Stanley  
Stanley Law Group  
1418 Park Street  
Columbia, SC 29202

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a Walmart customer when she slipped on a wet floor while moving from one part of the store to another

**Issues:** The human factors issues include the visibility of water on the floor, the actions of Walmart employees when mopping and spreading water on the floor, the actions of Plaintiff, the previous experience of the Plaintiff in walking across the same area of the store.

**Status:** Active

**Testimony:** Expert Report

**Case:** Morado v. Perez and Brigade Energy Services

**Attorney:** Cynthia Castanon  
Bush & Bush Law Group  
3710 Rawlins Street  
Suite 1420  
Dallas, TX 75219

**Side:** Plaintiff

**Description:** This case involves a collision between a tractor-trailer and a pickup truck after the pickup truck made a U-turn in front of the tractor-trailer during hours of darkness, then changed lanes twice before the collision.

**Issues:** The human factors issues include the a visibility of both vehicles, the behavior of both drivers, the ability of each driver to avoid the collision, etc.

**Status:** Active

**Testimony:** Expert Report

**Case:** Riley v. Werner Agribusiness, et al.

**Attorney:** Courtney Wilson  
Tynes Law Firm  
525 Krebs Avenue  
Pascagoula, MS 39567

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when she struck the trailer of a tractor-trailer that pulled out from a stop-controlled intersection to turn left and blocked her lane of travel.

**Issues:** The human factors issues include the visibility of each vehicle to the drivers, the amount of time the driver of the passenger vehicle had to respond to the turning tractor-trailer, the decision of the tractor-trailer driver to pull into the major roadway, etc.

**Status:** Active

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Inella v. Truist

**Attorney:** Kevin Williams  
Comerford & Britt  
250 West First Street  
Suite 200  
Winston-Salem, NC 27101

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a bank customer when he tripped on a door stop on the way out of the bank.

**Issues:** The human factors issues include the adequacy of the visibility of door stop when exiting the building, the hazard posed by the door stop to pedestrians, the likelihood that the customer would be looking in the direction of the door stop while exiting the bank, etc.

**Status:** Active

**Testimony:** Deposition

**Case:** Bosquez v. Mega Trucking, et al.

**Attorney:** Michael Pajcic  
Pajcic & Pajcic  
One Independent Drive  
Suite 1900  
Jacksonville, FL 32202

**Side:** Plaintiff

**Description:** This case involves the death of a motorist when she ran beneath a trailer that was stopped across both travel lanes of a 4-lane highway. The crash occurred during daylight hours. The tractor-trailer was in the process of turning left, then stopped for traffic in the far lanes to clear.

**Issues:** The human factors issues include the time available for the T-T driver to make his turning maneuver, the visibility of the trailer, the responses of the driver of the passenger vehicle, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Barron v. ADSI, et al.

**Attorney:** Shane Seaborn  
Penn & Seaborn  
1442 South Eufaula Avenue  
Eufaula, AL 36027

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when he struck the rear of a garbage truck that was parked half in his lane of travel and half on the shoulder. The rising sun was a glare source for the approaching driver.

**Issues:** The human factors issues include the visibility of the stopped garbage truck, the ability of the oncoming driver to see the garbage truck because of the glare produced by the sun, the response of the oncoming driver to the stopped garbage truck, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Averette v. Saraland Properties

**Attorney:** Amanda Herren  
Cunningham Bounds  
1601 Dauphin Street  
Mobile, AL 36604

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the guest of a hotel when she tripped on the exposed back edge of curb adjacent to a handicapped parking space,

**Issues:** The human factors issues include the visibility of the exposed edge of the curb, the effects of benign experience on the guest's expectation regarding tripping hazards, the likely mechanism of her trip, typical pedestrian glance patterns, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

### 2021

**Case:** Walton v. Diaz and New Line Transport

**Attorney:** Betsey Herd  
Morganstern & Herd  
800 Tarpon Woods Blvd.  
Suite F-1  
Palm Harbor, FL 34685

**Side:** Plaintiff

**Description:** This case involves the death of a motorist who struck the rear of a slow-moving tractor-trailer in the travel lane of an Interstate highway. The crash happened at night, about 3 am.

**Issues:** The human factors issues include the adequacy of the visibility of the stopped vehicle, the ability of the oncoming driver to perceive that the lead vehicle was, in fact, stopped, the ability of the oncoming driver to take timely evasive action, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Tenorio v. Bell

**Attorney:** Ben Klein  
Sigmon Klein  
114 N. Elm Street  
Suite 210  
Greensboro, NC 27401

**Side:** Plaintiff

**Description:** This case involves the death of a passenger in a vehicle that struck the rear of a stopped truck in the travel lane of a four-lane highway during hours of darkness

**Issues:** The human factors issues include the adequacy of the visibility of the stopped vehicle, the ability of the oncoming driver to perceive that the lead vehicle was, in fact, stopped, the ability of the oncoming driver to take timely evasive action, etc.

**Status:** Case Settled

**Testimony:** Expert Consultation

**Case:** Sadler v. Airgas

**Attorney:** Jim Roberts  
Lewis & Roberts  
3700 Glenwood Avenue  
Suite 410  
Raleigh, NC 27612

**Side:** Plaintiff

**Description:** This case involves the death of an individual who was transferring nitrous oxide from a mother tank to smaller tanks to be used in his race car.

**Issues:** The human factors issues include the adequacy of the warning label(s) on the mother tank (supplied by Airgas) and the effect of the common practice of heating the mother tank in order to promote the gas transfer.

**Status:** Case Settled

**Testimony:** Deposition



## Expert Witness Summary - Maddox

**Case:** Berry v. Waste Pro

**Attorney:** Allen McConnaughay  
Fonvielle, Lewis, Messer & McConnaughay  
3375-A Capital Circle NE  
Tallahassee, FL 32308

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver who struck the back of a stopped garbage truck that was parked partially in the highway at night.

**Issues:** The human factors issues include the ability of the passenger vehicle driver to see and appreciate the hazard formed by the stopped garbage truck, the effects of violating the passenger-vehicle driver's expectations, the ability of the passenger-vehicle driver to react to the stopped garbage truck, etc.

**Status:** Active

**Testimony:** Deposition and Trial (State Court)

**Case:** Remigio v. Campos, et al.

**Attorney:** Eric Penn  
The Penn Law Firm  
102 S. Ragsdale Street  
Jacksonville, TX 75766

**Side:** Plaintiff

**Description:** This case involves the death of a pickup-truck driver who struck the back of a slow-moving tractor-trailer in a travel lane of an Interstate highway at night.

**Issues:** The human factors issues include the ability of the passenger vehicle driver to see and appreciate the hazard formed by the slow-moving tractor-trailer, the effects of violating the passenger-vehicle driver's expectations, the ability of the T-T driver to see the passenger vehicle prior to moving into the travel lane, the ability of the passenger-vehicle driver to react to the slow-moving tractor-trailer, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Hester v. Amerifield, et al.

**Attorney:** Louie Cook  
Sico Hoeschler Harris  
802 N. Carancahua Street  
Suite 800  
Corpus Christi, TX 78401

**Side:** Plaintiff

**Description:** This case involves the death of a motorist who struck the side of a sandbox trailer that was part of a tractor-trailer making a left turn across a four-lane highway during hours of darkness. The tractor was situated fully in the median and the trailer was stretched across both northbound travel lanes. The trailer was slanted at an angle to the oncoming driver and the conspicuity tape on the trailer was completely obscured by sand and mud.

**Issues:** The primary human factors issue is the ability of the oncoming driver to perceive and react to the trailer that was blocking her travel lane.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Walsh v. Lawrence Transportation, et al.

**Attorney:** Bryan Slaughter  
MichieHamlett  
310 4<sup>th</sup> St. NE  
Charlottesville, VA 22902

**Side:** Plaintiff

**Description:** This case involves the death of a motorist who struck and under-rode the side of a trailer that was part of a tractor-trailer backing down both travel lanes of a rural two-lane highway at night. The tractor was situated fully in the oncoming travel lane and the trailer was stretched across both travel lanes. The trailer was slanted on a shallow angle to the oncoming driver.

**Issues:** The primary human factors issue is the ability of the oncoming driver to perceive the trailer in the presence of disability glare from the headlights of the tractor.

**Status:** Case Settled

**Testimony:** Expert Consultation

**Case:** Hough v. ANM Logistics

**Attorney:** Curtis Osborne  
Osborne Law Firm  
10130 Perimeter Parkway  
Suite 200  
Charlotte, NC 28216

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a dump truck when he struck the rear of a disabled tractor-trailer parked so it protruded 5 feet into the right travel lane of a 4-lane highway. The dump truck was following a tractor-trailer that blocked the view of the dump truck driver until the T-T moved into the left lane.

**Issues:** The primary human factors issue is the ability of the dump truck driver to see the edge of the roadway while he was traveling behind the lead tractor-trailer.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Glenn v. EVO, et al.

**Attorney:** Janelle Shewmaker  
Tatum & Atkinson  
702 Glenwood Avenue  
Raleigh, NC 27605

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a panel truck that had been disabled in a previous collision on a busy Interstate highway. The driver, who was not injured in the first collision, opted to remain in his vehicle instead of abandoning it. His vehicle was struck a second time and he sustained serious injuries.

**Issues:** The primary human factors issue is the decision of the driver to remain in his vehicle until help arrived. This includes the effects of prior experience, stress, the relationship of subjective risk assessment to objective risk, etc.

**Status:** Case Settled

**Testimony:** Expert Report

## Expert Witness Summary - Maddox

**Case:** Perry v. Kennedy Brothers Trucking

**Attorney:** Stanley Myers

Moore Bradley Myers

1700 Sunset Boulevard

West Columbia, SC 29169

**Side:** Plaintiff

**Description:** This case involves the death of the driver of a passenger vehicle that struck the rear of a tractor trailer disabled and stopped in the left lane of an Interstate highway. The right-seat passenger was injured in the crash. The passenger vehicle was traveling over 70 mph. The crash happened during hours of daylight.

**Issues:** The human factors issues are the ability of the passenger vehicle driver to perceive and understand that the tractor-trailer was stopped in time to take effective evasive actions.

**Status:** Case Settled

**Testimony:** Expert Report

## Expert Witness Summary - Maddox

### 2020

**Case:** Byars v. Lowe's Home Centers and Muntean

**Attorney:** Justin Hunter  
Hunter & Price  
211 South Main St.  
Kenansville, NC 28349

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a customer at a Lowe's Home Improvement store who was struck by a piece of wood ejected from a panel saw being operated by a Lowe's employee.

**Issues:** The human factors issues include the operation of the panel saw, barriers and warnings for customers regarding the hazards posed by the panel saw, the ability of customers to see and appreciate the hazard of ejected wood from the panel saw, the ability of people to avoid pieces of wood once they are ejected from the panel saw, etc.

**Status:** Case Settled

**Testimony:** Expert Consulting

**Case:** Stewart v. Chick-Fil-A

**Attorney:** Mark Stanley  
Stanley Law Group  
1418 Park Street  
Columbia, SC 29202

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a patron of a Chick-Fil-A restaurant when she slipped on a wet floor and fell while exiting the restaurant

**Issues:** The human factors issues include the visibility of the liquid on the floor, the likelihood that the patron would be looking at the floor in the area where she fell, the slip mechanism, the likelihood that the patron could recover from the slip before falling to the floor, and any inattention on the part of the patron who fell.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Bennett v. Hernandez

**Attorney:** Joe Tunstall  
O'Malley Tunstall  
405 Main Street  
Tarboro, NC 27886

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when struck a slow-moving tractor trailer traveling without lights on a four-lane, limited-access highway at night. The area of the crash was not lit with street lights or other ancillary lighting.

**Issues:** The human factors issues include the decision of the tractor-trailer driver to remain on the highway without functioning lights, the visibility of the trailer to the approaching motorist, the ability of the approaching driver to perceive the slower speed of the tractor-trailer in front of him, the actions of the driver of the passenger vehicle to avoid the collision, etc.

**Status:** Trial Complete – State Court

**Testimony:** Deposition and Trial

## Expert Witness Summary - Maddox

**Case:** Wadsworth v. A&CC and Cannon

**Attorney:** Mark Stanley  
Stanley Law Group  
1418 Park Street  
Columbia, SC 29202

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver of a passenger vehicle when she struck a flatbed trailer that was blocking all three southbound lanes of a major highway as the driver of the tractor-trailer was stopped while trying to make a left-hand turn into the opposing lanes.

**Issues:** The human factors issues include the decision of the tractor-trailer driver to begin the left-turn maneuver, the visibility of the flatbed trailer, the visibility of oncoming traffic to the tractor-trailer driver, the actions of the driver of the passenger vehicle to avoid the collision, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Alexander v. Manitowoc Cranes, et al.

**Attorney:** Monte Tynes  
Tynes Law Firm  
525 Krebs Avenue  
Pascagoula, MS 39567

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a worker when a crane involved in a multiple-crane lift at a shipyard tipped over. The boom on that crane crashed through a building in which Mr. Alexander was working.

**Issues:** The human factors issues include the information available to the crane operators, observers, and lift planners from the documentation provided by Manitowoc, which was the manufacturer of the two cranes involved in the lift at the time of the tip-over, the effectiveness of warning against the crane counterweights sliding forward as the crane tipped forward, the design and content of the Operator's Manual and the Capacity Chart Manual applicable to the crane that tipped over, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Balderas v. Sanderson Farms, et al.

**Attorney:** Eric Penn  
The Penn Law Firm  
102 S. Ragsdale Street  
Jacksonville, TX 75766

**Side:** Plaintiff

**Description:** This case involves the death of a child who was a passenger in a passenger vehicle that struck the back of a slow-moving tractor-trailer that moved into a travel lane of a high-speed highway from an acceleration lane.

**Issues:** The human factors issues include the ability of the passenger vehicle driver to see and appreciate the hazard formed by the slow-moving tractor-trailer, the effects of violating the passenger-vehicle driver's expectations, the ability of the T-T driver to see the passenger vehicle prior to moving into the travel lane, the ability of the passenger-vehicle driver to react to the movement of the tractor-trailer, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Braswell v. Hooker

**Attorney:** Matt Ballew  
Zaytoun, Ballew & Taylor  
3130 Fairhill Drive  
Suite 100  
Raleigh, NC 27612

**Side:** Defendant

**Description:** This case involves the death of a motorist who had been involved in a collision, then moved her vehicle beneath an underpass on an Interstate highway. The vehicle that originally struck her from the rear followed her and shielded her vehicle with his own. Another vehicle came upon the two stopped vehicles, swerved around them on the left, and struck the driver of the first vehicle as she was out of her car surveying the damage from the first collision.

**Issues:** The human factors issues include the ability of oncoming traffic to see the stopped vehicles and appreciate the fact they were stopped in time to take evasive action, the ability of the oncoming driver to see the out-of-vehicle driver in time to avoid striking her, etc.

**Status:** Case Settled

**Testimony:** None

**Case:** Rhodes v. Ford Lumber Company, et al.

**Attorney:** Aaron Maples  
Cunningham Bounds  
1601 Dauphin Street  
Mobile, AL 36604

**Side:** Plaintiff

**Description:** This case involves the death of a driver of a pickup truck who struck the rear of a lumber deliver truck that was parked on the left side of two eastbound travel lanes with the rear of the truck protruding into the travel lane.

**Issues:** The human factors issues include the ability of the pickup truck driver to see and appreciate the hazard formed by the stopped lumber delivery truck, the effects of violating the pickup-truck driver's expectations, the effects of a forklift on the right side of the roadway that was being used to unload lumber from the truck, the effect that emergency triangles or traffic cones would likely have had if they had been deployed, and the actions of the pickup truck driver leading up to the crash.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Kinder v Massey and Shelba D. Johnson Trucking

**Attorney:** Trey Smith  
Gentry Locke  
10 Franklin Road, SE  
Suite 900  
Roanoke, VA 24011

**Side:** Plaintiff

**Description:** This case involves the death of a driver at a truckstop. He was walking from the truck parking area to the restaurant when he was struck by a tractor-trailer and drug for some distance. The incident happened during hours of darkness and in the rain.

**Issues:** The human factors issues include the ability of T-T driver and the pedestrian to see one another, the illumination levels in the parking lot of the truck stop, the paths followed by the pedestrian and the T-T driver, the effects of the rain, if any, on the ability of the T-T driver to see the pedestrian, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** Green v. Airgas Specialty

**Attorney:** Doug Abrams  
Abrams & Abrams  
1526 Glenwood Avenue  
Raleigh, NC 27608

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver when he was struck head on by a tractor trailer that had veered from its lane of travel and sideswiped a pickup truck. The crash happened on a two-lane road at mid-morning in good weather.

**Issues:** The human factors issues include the ability of the vehicle drivers to see the other vehicle, the ability of the passenger vehicle driver to perceive that the tractor-trailer was going to crash into his vehicle, the ability and time available for both drivers to take evasive action, the knowledge on the part of the passenger car driver that he was likely to be involved in a very serious crash.

**Status:** Case Settled

**Testimony:** Expert Report

**Case:** Rios v. Prince and Ranger

**Attorney:** Scott Murphy  
Paul, Knopf & Bigger  
840 South Denning Drive  
Suite 200  
Winter Park, FL 32789

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver and her young daughter when she struck the back of a dump truck that was parked partially in an open travel lane as it was staged to deliver asphalt to a paving operation. The travel lane had been blocked from non-construction traffic until approximately an hour and a half before the crash. The crash happened approximately 3:45 am, so the sky was dark.

**Issues:** The human factors issues include the ability of the vehicle drivers to see the other vehicle, the ability of the passenger vehicle driver to perceive that the dump was, in fact, stopped, the ability of the passenger vehicle driver to see the driver of the dump truck as he walked around the side of his vehicle, the effects of distraction, fatigue, or other factors in the behavior of the driver of the passenger vehicle, the time available for the passenger vehicle driver to take effective evasive action, the appearance of the formerly-closed travel lane, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

### 2019

**Case:** Nelson v. Florence Concrete, et al.

**Attorney:** Ashley Nance  
King, Love, Hupfer & Nance  
135 South Dargon Street  
Suite 201  
Florence, SC 29506

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a motorist when he ran beneath a trailer that was pulling out of a parking lot onto a two-lane highway at night. The tractor-trailer was blocking both lanes of the highway during the maneuver.

**Issues:** The human factors issues include the ability of the tractor-trailer driver to see the oncoming passenger vehicle before and during pulling out of the parking lot, the ability of the passenger vehicle driver to see the trailer that was blocking his lane, including the visibility of the conspicuity tape, the effect of disability glare and false expectation caused by the headlights of the tractor in the opposing travel lane, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Holthouse v. Cesconetto, et al.

**Attorney:** Seth Pajcic  
Pajcic & Pajcic  
One Independent Drive, Suite 1900  
Jacksonville, FL 32202

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a pedestrian when she was struck by a car after emerging from behind a delivery vehicle parked at the entrance to a large retail store. The views of both the driver of the vehicle that struck her as well as the pedestrian were blocked by the delivery vehicle.

**Issues:** The human factors issues include the ability of the pedestrian and the vehicle driver to see each other in time to avoid the collision, the typical glance behavior of pedestrians and drivers, the time available for both the pedestrian and driver to avoid the collision, the effects of violating the expectations of drivers and pedestrians, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Norton v. Railcrew Xpress, et al.

**Attorney:** Billy Bonner  
Cunningham Bounds  
1601 Dauphin Street  
Mobile, AL 36604

**Side:** Plaintiff

**Description:** This case involves the death of a motorcycle driver when he was struck from behind by a delivery van. He was stopped and waiting to turn left when he was struck from behind. The incident happened during daylight hours.

**Issues:** The human factors issues include the ability of the delivery van driver to see the motorcycle, the ability of the passenger van driver to perceive that the motorcycle was, in fact, stopped, the time available for the van driver to take effective evasive action, distraction on the part of the delivery van driver, fatigue on the part of the delivery van driver, etc.

**Status:** Case Settled

**Testimony:** Deposition



## Expert Witness Summary - Maddox

**Case:** Sasser v. Florida Pond Trucking, et al.

**Attorney:** Cory Driggers  
Morris, Cary, Andrews, Talmadge & Driggers  
3334 Ross Clark Circle  
Dothan, AL 36303

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a motorist when he struck the rear of a tractor-trailer that was parked along the side of the road with approximately two-thirds of his vehicle extending into the travel lane of a two-lane road.

**Issues:** The human factors issues include the ability of the vehicle drivers to see the other vehicle, the ability of the passenger vehicle driver to perceive that the tractor-trailer was, in fact, stopped, the time available for the passenger vehicle driver to take effective evasive action, the decision of the tractor-trailer driver to stop his vehicle at that location, the decision of the tractor-trailer driver to not deploy emergency triangles, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Northrop v. Central Food Equipment

**Attorney:** Steve Barnes  
Barnes Trial Group  
505 S. Magnolia Avenue  
Tampa, FL 33606

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a worker when he fell through a fiberglass panel on the metal roof of a commercial sales and warehouse operation.

**Issues:** The human factors issues include the ability of the worker to see the fiberglass panel against the backdrop of the rest of the metal roof, the attentional focus of the worker, the lack of demarcation or other warnings regarding the fiberglass panels, the ability of the worker to arrest his fall once he broke through the panel, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Hill v. Certex

**Attorney:** Andy Schwaba  
Schwaba Law Firm  
212 South Tryon Street  
Suite 1725  
Charlotte, NC 28281

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a worker when a nylon sling he was using to move to pieces of sheet steel broke, allowing the steel sheets to fall over and injure his back and legs.

**Issues:** The human factors issues include the adequacy of the on-product warning, verbiage in accompanying operational literature, and training regarding the appropriateness of using nylon slings to lift steel sheets. Specifically, the use of the word "sharp" when applied to the edges of the steel sheets that were being moved.

**Status:** Active

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** TCW v. Alterri, et al.

**Attorney:** Mary Beth White

Lewis, Thomason, King, Krieg & Waldrop

424 Church Street

Suite 2500

Nashville, TN 37219

**Side:** Plaintiff

**Description:** This case involves a collision between two tractor-trailers on an Interstate highway. One T-T pulled off the right shoulder into the path of the second truck, which struck the slow-moving T-T.

**Issues:** The human factors issues include the visibility of the visibility of the tractor-trailer entering the highway, the visibility of the oncoming tractor-trailer, the ability of the oncoming driver to determine that the T-T entering the roadway was traveling very slowly, the actions of both T-T drivers, etc.

**Status:** Case Settled

**Testimony:** Expert Report

**Case:** Watson v. Central States Trucking, et al.

**Attorney:** Mark Stanley

Stanley Law Group

1418 Park Street

Columbia, SC 29202

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a motorist when she struck the rear of a tractor-trailer that was backing out of a private driveway onto a 4-lane highway during hours of darkness.

**Issues:** The human factors issues include the visibility of the visibility of the trailer, the time available to the motorist to take evasive action, the visibility of the motorist to the truck driver, whether distraction or alcohol consumption contributed to the crash, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Wacaser v. Blue Ridge Apartments, et al.

**Attorney:** Brian Davis

Davis Law Group

1 North Pack Square

Suite 412

Asheville, NC 28801

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the disabled tenant of an apartment after the shower had been remodeled. The tenant, who is wheelchair-bound, slipped on water that puddled on the floor of the shower after he had used the shower.

**Issues:** The human factors issues include the visibility of the water on the floor of the shower, the expectations of the tenant with respect to the presence of a slip hazard on the shower floor, typical slip mechanisms, the ability of the tenant to recover once the slip was initiated.

**Status:** Case Settled

**Testimony:** Expert Consultation

## Expert Witness Summary - Maddox

**Case:** Keaton v. U.S. Crane & Rigging

**Attorney:** Jennifer Meeteer

Katz, Kantor, Stonestreet & Buckner  
207 South Walker Street  
Princeton, WV 24740

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver and passenger of an SUV that crashed into the back of a tractor-trailer that had pulled from the right shoulder of a high-speed roadway and was moving slowly in a travel lane.

**Issues:** The human factors issues include the visibility of both vehicles, the ability of the approaching driver to perceive that the tractor-trailer was moving slowly, the perception-reaction time of the approaching driver, the behavior of both drivers, etc.

**Status:** Case Settled

**Testimony:** Expert Report

**Case:** Viola v. Opry GlowGolf

**Attorney:** Chris Smith

Goldstein, Buckley, Cechman, Rice & Purtz  
1515 Broadway  
Ft. Myers, FL 33901

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a patron of a Glow Golf franchise when she tripped over a raised tee box that was illuminated only by ultraviolet light in an otherwise darkened facility.

**Issues:** The human factors issues include the visibility of the raised platform, the difference in brightness between the raised tee box and the other tee boxes in the facility, the ability of the patron to dark adapt enough to be able to see the dimmer tee box on which she tripped, the likelihood that the patron was looking at the tee box as she turned from the check-in desk, etc.

**Status:** Case Settled

**Testimony:** Expert Consultation

**Case:** Williams v. Broady

**Attorney:** Steve Barnes

Barnes Trial Group  
505 S. Magnolia Avenue  
Tampa, FL 33606

**Side:** Plaintiff

**Description:** This case involves the death of person who was helping overlay an existing metal roof on a commercial building when he fell through a fiberglass panel on the roof that was painted the same color as the metal roof panels.

**Issues:** The human factors issues include the visibility of the fiberglass panels on the roof, the experience of the helper with roof work in general and that roof in particular, the likelihood that the person who was injured was looking at the roof panel through which he fell, etc.

**Status:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**Case:** White v. City of Albuquerque (NM)

**Attorney:** Rachel Higgins

Attorney at Law

111 Tulane Drive, S.E.

Albuquerque, NM 87106

**Side:** Plaintiff

**Description:** This case involves the death of a pedestrian who was crossing a four-lane urban roadway with a median near a city-owned sports arena after a basketball game. The pedestrian was crossing at a marked, but unlit, un-signalized, and unmanned crosswalk at night. The driver of the vehicle that struck the pedestrian was looking at other pedestrians who had crossed half the roadway and were approaching the median.

**Issues:** The human factors issues include the visibility of the pedestrian and the oncoming vehicle, the visual attention of the automobile driver, the typical expectations of pedestrians with respect to their own visibility at night, the lighting at the crosswalk, the markings on the crosswalk, etc.

**Status:** Case Settled

**Testimony:** Expert Report

## Expert Witness Summary - Maddox

### 2018

**Case:** Peterson v. Waste Management

**Attorney:** Wade Yeoman

Finn & Yeoman

231 South Fifth Street

3<sup>rd</sup> Floor

Louisville, KY 40202

**Side:** Plaintiff

**Description:** This case involves injuries incurred by the driver of a passenger vehicle when he struck the rear of a stopped garbage truck that was mostly in his lane of travel on a two-lane road. At the time of the crash the rising sun was directly in his eyes and the stopped garbage truck was located just around a bend in the roadway.

**Issues:** The human factors issues include the visibility of the stopped garbage truck, violation of the expectations of the passenger vehicle driver, the effects of disability glare caused by the rising sun, the decision of the garbage truck driver to stop at that specific place and time, the time available to the passenger car driver to take effective (or any) evasive action, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Honeycutt v. Reed Trucking

**Attorney:** Billy Bonner

Cunningham Bounds

1601 Dauphin Street

Mobile, AL 36604

**Side:** Plaintiff

**Description:** This case involves the death of a passenger vehicle driver when she struck the rear of a log trailer that was stopped on an entry ramp to an interstate highway. The crash occurred during hours of darkness and the logs on the truck overhung the trailer bed far enough to bend down and obscure the rear lights of the trailer.

**Issues:** The human factors issues include the visibility of the rear of the trailer, violation of the expectations of the passenger vehicle driver, the decision of the tractor-trailer driver to stop at the entrance to a high-speed highway, the time available to the passenger car driver to take effective (or any) evasive action, etc.

**Status:** Case Settled

**Testimony:** Expert Report

**Case:** Pittman v. Piggly Wiggly

**Attorney:** John Taylor

Zaytoun Law Firm

3130 Fairhill Drive

Suite 100

Raleigh, NC 27612

**Side:** Plaintiff

**Description:** This case involves injuries received by a grocery shopper when she slipped and fell in water that had backed up in a floor drain near a meat counter. The incident happened in a Piggly Wiggly store.

**Issues:** The human factors issues include the visibility of water in the vicinity of the floor drain, the expectation of the customer with respect to slipping hazards in that area of the store, the absence of "wet floor" warnings, where people look while they're walking, etc.

**Status:** Case Settled

**Testimony:** Expert Consultation

## Expert Witness Summary - Maddox

**Case:** Mason v. McArthur Paving, et al.

**Attorney:** Doug Abrams  
Abrams & Abrams  
1526 Glenwood Avenue  
Raleigh, NC 27608

**Side:** Plaintiff

**Description:** This case involves injuries incurred by the passenger in a vehicle that slid off a road that had been recently surfaced with “chip and seal” technology. The paving company had left surplus gravel on the roadway and the vehicle left the road in a curve and struck a tree.

**Issues:** The human factors issues include the ability of the vehicle driver to see the deep gravel on the roadway, the expectation of the driver that her vehicle would start to slide in the excess gravel, the lack of warnings related to the newly-surfaced road, the absence of reduced speed limits on the newly-surface road, etc.

**Status:** Trial Complete – State Court

**Testimony:** Deposition and Trial

**Case:** Lynch v. John Deere

**Attorney:** Bill Hatfield  
Hatfield Temple  
170 Courthouse Square  
Florence, SC 29503

**Side:** Plaintiff

**Description:** This case involves injuries incurred by a person assisting the operator of a corn combine. While attempting to clear vegetation from the corn head on the combine, the helper was injured when the operator of the combine energized the corn head and pulled the helper’s leg into the mechanism. The helper eventually lost his leg due to the injuries he incurred.

**Issues:** The human factors issues include the warnings attached to the corn head, the instructions in the Operator’s Manual for the combine, the visibility of the helper and the operator to each other, the actions of both the operator and the helper, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Ivey v. ST Wooten

**Attorney:** Matt Sullivan  
White & Allen  
106 S. McLewean Street  
Kinston, NC 28502

**Side:** Plaintiff

**Description:** This case involves injuries incurred by the driver of a pickup truck when he struck the rear of a drop-deck trailer with a piece of paving equipment on it. The defendant had placed the trailer in the right lane of a two-lane rural highway, thus blocking the lane, without having any warnings, barriers, etc. in place. The crash occurred just after sunrise and the orientation of the road caused the sun to be directly in the line of sight of the pickup truck driver, causing disability glare that made the road blockage very difficult to see.

**Issues:** The human factors issues include the visibility of the drop-deck trailer for eastbound traffic, the level of disability glare caused by the morning sun, the reaction of the pickup truck driver, etc.

**Status:** Case Settled

**Testimony:** Expert Report

## Expert Witness Summary - Maddox

**Case:** McWhorter v. Marten Transport, et al.

**Attorney:** Matt Garmon  
Morris Haynes  
3500 Colonnade Parkway  
Suite 100  
Birmingham, AL 35243

**Side:** Plaintiff

**Description:** This case involves the death of the driver of a passenger vehicle when he was struck by a tractor-trailer during hours of darkness. The driver of the passenger vehicle was standing next to his disabled vehicle, about 4 feet off the travel lane of an interstate highway. A tractor-trailer drifted off the travel lane and struck him. The driver of the tractor-trailer admits to being distracted by interacting with his dispatch terminal at the time of the incident.

**Issues:** The human factors issues include the visibility of the tractor-trailer, the automobile, and the auto driver, the level of distraction attributed to the commercial vehicle's driver's use of his dispatch terminal, the reaction of the T-T driver just prior to the crash, etc.

**Status:** Case Settled

**Testimony:** Deposition

**Case:** Allen v. Sublett, et al.

**Attorney:** Michael Pajcic  
Pajcic & Pajcic  
One Independent Drive  
Suite 1900  
Jacksonville, FL 32202

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a passenger vehicle driver when he struck the side of a trailer that was part of a tractor-trailer pulling into a small strip shopping center during hours of darkness. The trailer was blocking the travel lane of the passenger vehicle driver.

**Issues:** The human factors issues include the visibility of the tractor-trailer and the automobile, the decision of the commercial vehicle driver to turn left, the ability of the passenger vehicle driver to respond to the hazard posed by the turning trailer, etc.

**Status:** Trial Complete – State Court

**Testimony:** Deposition and Trial

**Case:** Johnsen v. Litzenberger

**Attorney:** Perry Fisher  
Fisher Stark  
172-D Asheland Avenue  
Asheville, NC 28801

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a bicyclist when a passenger vehicle turned left across her path on a stretch of the Blue Ridge Parkway during Civil Twilight.

**Issues:** The human factors issues include the visibility of the bicycle and the automobile, the decision of the vehicle driver to turn left, the ability of the bicyclist to respond to the hazard posed by the turning car, etc.

**Status:** Trial Complete – State Court

**Testimony:** Deposition and Trial

## Expert Witness Summary - Maddox

**Case:** Marcos v. Transportes Canales, et al.

**Attorney:** Andrea Zarikian  
The Ammons Law Firm  
3700 Montrose Blvd.  
Houston, TX 77006

**Side:** Plaintiff

**Description:** This case involves the death of a motorist whose vehicle ran beneath the trailer of a tractor-trailer combination that was leaving a freight yard and crossing a two-lane highway. The crash occurred at night.

**Issues:** The human factors issues include the visibility of the tractor and trailer, the visibility of the approaching passenger vehicle headlights, the decision of the tractor-trailer driver to begin his turning maneuver across the roadway, the perception and reaction of the passenger vehicle driver, etc.

**Status:** Case Settled

**Testimony:** Expert Consulting

**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



## Expert Witness Summary - Maddox

**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

**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

**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:** Trial Complete – State Court

**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:** Trial Complete - State Court

**Testimony:** Deposition and Trial

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

### 2017

**Case:** Madden v. Trans Carriers and Neal

**Attorney:** Chris Glover  
Beasley Allen  
218 Commerce Street  
Montgomery, AL 36104

**Side:** Plaintiff

**Description:** This case involves the death of the passenger in a truck that struck a stopped garbage truck during early morning hours.

**Issues:** The human factors issues include the ability of the driver of the passenger vehicle to determine that the garbage truck was traveling stopped in his travel lane, the ability of the driver of the passenger vehicle to take effective evasive action to avoid the crash, the behavior of the garbage truck driver, etc.

**Status:** Case Settled

**Testimony:** Expert Consultation

**Case:** Boyce v. FLH Trucking

**Attorney:** Greg Hewitt  
Hewitt & Salvatore  
204 North Court Street  
Fayetteville, WV 25840

**Side:** Plaintiff

**Description:** This case involves the death of a motorist when he struck the rear of a log truck traveling slowly in the travel lane of a high-speed roadway.

**Issues:** The human factors issues include the ability of the log truck to the driver of the passenger vehicle, the ability of the driver of the passenger vehicle to determine that the log truck was traveling slowly in his travel lane, the ability of the driver of the passenger vehicle to take effective evasive action to avoid the crash, the behavior of the tractor-trailer driver, etc.

**Status:** Case Settled

**Testimony:** Expert Consultation

**Case:** Alsbrooks v. JJ&T Transport, et al.

**Attorney:** Mark Chappell  
Chappell, Smith & Arden  
2801 Devine Street  
Suite 300  
Columbia, SC 29205

**Side:** Plaintiff

**Description:** This case involves injuries sustained by the driver and passenger of a pickup truck that struck the side of a tractor-trailer that was backing into a private driveway at night and blocking the travel lanes of a 2-lane highway.

**Issues:** The human factors issues include the ability of the motorist to see the trailer that was blocking his lane of travel, the ability of the tractor-trailer driver to see the oncoming passenger vehicle, the decision of the tractor-trailer driver to commence his backing maneuver across traffic, the available perception-reaction time for the passenger vehicle driver, etc.

**Status:** Case Settled

**Testimony:** Expert Report

## Expert Witness Summary - Maddox

**Case:** Stamps v. Dingess and Annett Holdings, Inc.

**Attorney:** Libby Grimes

Thoman, Godley & Grimes  
514 Williamson Road  
Suite 421  
Mooresville, NC 28117

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a motorist when she struck the rear of a tractor-trailer as it pulled out to make a left turn, thus blocking her lane of travel. The crash occurred during hours of darkness and the tractor had already established itself facing the motorist in a travel lane.

**Issues:** The human factors issues include the disability glare caused by the headlights of the tractor, the ability of the motorist to see the trailer that was blocking her lane of travel, the ability of the tractor-trailer driver to see the oncoming passenger vehicle, the decision of the tractor-trailer driver to commence his turn across traffic, the available perception-reaction time for the passenger vehicle driver, etc.

**Status:** Case Settled

**Testimony:** Expert Consultation

**Case:** Wetherell v. C.R. England, et al.

**Attorney:** Dana Hoffman

Young, Moore & Henderson  
3101 Glenwood Avenue  
Suite 200  
Raleigh, NC 27612

**Side:** Defendant

**Description:** This case involves the death of a motorist when the vehicle she was driving struck the underside of an overturned tractor-trailer that was blocking both travel lanes of a 4-lane unlimited access highway. The sun was directly in the eyes of the motorist, which likely caused her to not see the underside of the overturned tractor-trailer until it was too late to take evasive action.

**Issues:** The human factors issues include the mechanism of the initial crash that resulted in the tractor-trailer overturning, the likelihood of disability glare for both the T-T driver and the passenger vehicle driver, the ability of the T-T driver to see the vehicle he struck, the ability of the passenger vehicle driver to see the overturned T-T, the reaction of the passenger vehicle driver, etc.

**Status:** Case Settled

**Testimony:** Expert Report

## Expert Witness Summary - Maddox

**Case:** Mayer v. City of Daytona Beach

**Attorney:** Fermin Lopez  
Colling, Gilbert, Wright & Carter  
801 North Orange Avenue  
Suite 830  
Orlando, FL 32801

**Side:** Plaintiff

**Description:** This case involves injuries sustained by a pedestrian when she fell descending the bottom step of a staircase leading from a public pier to a public boardwalk in Daytona Beach, FL. The riser on the bottom step varied in height from one side to the other and from the consistent height of the other stair risers.

**Issues:** The human factors issues include the construction of the bottom stair riser, the ability of the pedestrian to appreciate the variation in the bottom step riser, typical misstep and fall mechanisms while descending stairs, the likelihood of recovering from the misstep at the bottom step, etc.

**Status:** Case Settled

**Testimony:** Expert Report

**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:** Case Settled

**Testimony:** Deposition

**Case:** Tegui-in v. Home Town Oxygen, et al.

**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

## Expert Witness Summary - Maddox

**Case:** Portillo v. Lesna Construction

**Attorney:** Kevin Liles  
Liles White  
800 N. Water St., Suite 800  
Corpus Christi, TX 78401

**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:** Case Settled

**Testimony:** Deposition

**Case:** Holston v. McNeilus, et al.

**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:** Case Settled

**Testimony:** Deposition

**Case:** Pearson v. Gold Express, et al.

**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

## Expert Witness Summary - Maddox

**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

**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:** Defendant

**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:** Trial Complete - Federal Court

**Testimony:** Deposition and Trial



## Expert Witness Summary - Maddox

**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

**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

## Expert Witness Summary - Maddox

**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

**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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

### 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:** Case Settled

**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:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**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 O 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

## Expert Witness Summary - Maddox

**Case:** Kaminik v. Ooces and Werner Enterprises

**Attorney:** Alan Brady  
Brady and Witters  
608 S.E. 6<sup>th</sup> 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 (State Court)

**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. 12<sup>th</sup> 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:** Case Settled

**Testimony:** Deposition

**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 because 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:** Case Settled

**Testimony:** Expert Report

**Case:** Anderson v. Merchants

**Attorney:** David Hall  
Baker Donelson  
1400 Wells Fargo Tower  
420 20<sup>th</sup> 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

## Expert Witness Summary - Maddox

**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 63<sup>rd</sup> 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

**Case:** Rene v. Salmon & Sons, et al.

**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 (State Court)

**Testimony:** Deposition and Trial



## Expert Witness Summary - Maddox

**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

**Case:** Hinson v. Winston-Salem Industries for the Blind, et al.

**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 (State Court)

**Testimony:** Deposition and Trial

**Case:** Edmundson v. Heyward 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

## Expert Witness Summary - Maddox

**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

**Case:** Rios v. Lugo, et al.

**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

## Expert Witness Summary - Maddox

**Case:** Garmon v. Saldana, et al.

**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

**Case:** Murphy v. P&U, et al.

**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

**Case:** Pandolfo v. Seaboard Marine, et al.

**Attorney:** Eric Gressman  
Miami Dade County Attorney's Office  
111 NW 1<sup>st</sup> 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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**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:** Collen 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:** Case Settled

**Testimony:** Deposition

## Expert Witness Summary - Maddox

**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:** Trial Complete

**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

## Expert Witness Summary - Maddox

**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:** Trial Complete (State Court)

**Testimony:** Deposition and Trial

**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



## Expert Witness Summary - Maddox

### 2015

**Case:** Convertito, et al., v. Smith, et al.

**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:** Case Settled

**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

**Case:** Thomas v. Sotos Investments, et al.

**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:** Trial Complete (State Court)

**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 woman 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

## Expert Witness Summary - Maddox

**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

**Case:** Cross v. Lufkin Creosoting, et al.

**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

## Expert Witness Summary - Maddox

**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 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:** Case Settled

**Testimony:** Deposition

**Case:** Lasek v. Keith

**Attorney:** Mark Bonner  
Norman & Edem  
127 N.W. 10<sup>th</sup> 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

## Expert Witness Summary - Maddox

**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:** Trial Complete

**Testimony:** Deposition and Trial

**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 1<sup>st</sup> 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

**Case:** Rodgers v. Aircraft Tool Supply, et al.

**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:** Trial Complete

**Testimony:** Deposition and Trial

**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 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

## Expert Witness Summary - Maddox

**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 hanger 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

## Expert Witness Summary - Maddox

**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:** Rodriguez 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



## Expert Witness Summary - Maddox

**Case:** McClain v. Gardner, et al.

**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

Rossmann, 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

**Case:** McCauley v. Southern Fire Protection, et al.

**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

## Expert Witness Summary - Maddox

### 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:** Case Settled

**Testimony:** Expert Report

**Case:** Walker v. Jackson & Sons Dairy

**Attorney:** Tad Griffin  
Pajcic & Pajcic  
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

## Expert Witness Summary - Maddox

**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

**Case:** Lee v. Saga Freight Logistics, et al.

**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

**Case:** Farless v. Shembitraku, et al.

**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

## Expert Witness Summary - Maddox

**Case:** Orgeron v. Southern Tank Transport

**Attorney:** Kevin Kendred

Adkerson, Hauder & Bezney  
1700 Pacific Avenue  
Suite 4450  
Dallax, 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

## Expert Witness Summary - Maddox

**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

**Case:** Rohaidy v. All American Barricades

**Attorney:** David McDonald

McLuskey & McDonald

8821 S.W. 69<sup>th</sup> 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

**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 (State Court)

**Testimony:** Deposition and Trial



## Expert Witness Summary - Maddox

**Case:** Tucker v. C.R. Jackson, et al.

**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 re-paved 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

## Expert Witness Summary - Maddox

**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 (State Court)

**Testimony:** Deposition and Trial

**Case:** Tate v. Wright, et al.

**Attorney:** Steve Barnes

Barnes Trial Group

110 11<sup>th</sup> Street North

2<sup>nd</sup> 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:** Case Settled

**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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

### 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

## Expert Witness Summary - Maddox

**Case:** Kalak v. Alamo Transport, et al.

**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 1<sup>st</sup> 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

## Expert Witness Summary - Maddox

**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 2<sup>nd</sup> 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

## Expert Witness Summary - Maddox

**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 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 (State Court)

**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

**Case:** Milton v. Bernhardt Transportation, et al.

**Attorney:** Clay Hornsby  
Morris, Haynes, Hornsby, Wheeles & 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

**Case:** Goldberg v. Shoor, et al.

**Attorney:** Michael Goldfarb  
Alan Goldfarb, PA  
100 SE 2<sup>nd</sup> 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 (State Court)

**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 11<sup>th</sup> St. North  
2<sup>nd</sup> 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 (State Court)

**Testimony:** Deposition and trial

## Expert Witness Summary - Maddox

**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

**Case:** Blackwell v. Sutphin, et al.

**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

## Expert Witness Summary - Maddox

**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  
20<sup>th</sup> 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

## Expert Witness Summary - Maddox

**Case:** Burke v. Glanton, et al.

**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. Ellore 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

## Expert Witness Summary - Maddox

### 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 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

## Expert Witness Summary - Maddox

**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



## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**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 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 140<sup>th</sup> 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 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

## Expert Witness Summary - Maddox

**Case:** Lanier v. Holmes, et al.

**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 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 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 (State Court)

**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 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 (State Court)

**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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**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

**Case:** Paul v. Strimpfel, et al.

**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

## Expert Witness Summary - Maddox

**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



## Expert Witness Summary - Maddox

### 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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**Case:** Hutchison v. Republic Services

**Attorney:** Dan McCranie

Daniel I. McCranie

26 South 5<sup>th</sup> 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-rod 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

## Expert Witness Summary - Maddox

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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

### 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 Complete (State Court)

**Testimony:** Deposition and Trial

**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  
14<sup>th</sup> 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

## Expert Witness Summary - Maddox

**Case:** Estate of Medina v. Seaboard and Port of Miami

**Attorney:** Eric Gressman

Miami Dade County Attorney's Office  
111 NW 1<sup>st</sup>. 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 (State Court)

**Testimony:** Deposition and Trial

**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



## Expert Witness Summary - Maddox

**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

**Case:** Rentas v. Williamson Distributors, et al.

**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 (Federal Court)

**Testimony:** Deposition and Trial

**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 13<sup>th</sup> 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 Scoccimaro

Brown & Scoccimaro  
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

## Expert Witness Summary - Maddox

**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 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

## Expert Witness Summary - Maddox

**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)

## Expert Witness Summary - Maddox

**Case:** Osborne 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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**Case:** Serra v. Toy Air, et al.

**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

## Expert Witness Summary - Maddox

### 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



## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**Case:** Brashear and Ramirez v. Zep, et al.

**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

## Expert Witness Summary - Maddox

**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 13<sup>th</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 (State Court)

**Testimony:** Deposition and Trial

**Case:** Nazemetz v. Pike Electric Co.

**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

**Case:** McRae v. Waggoners Trucking, et al.

**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

## Expert Witness Summary - Maddox

**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



## Expert Witness Summary - Maddox

**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 13<sup>th</sup> 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

**Case:** Pelletier v. British Oak, et al.

**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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

### 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 (State Court)

**Testimony:** Trial

**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 (State Court)

**Testimony:** Deposition and Trial

## Expert Witness Summary - Maddox

**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

**Case:** Patel v. Benway, et al.

**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 (State Court)

**Testimony:** Deposition and Trial

**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

**Case:** Fly v. Janine Vlais, et al.

**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 1<sup>st</sup> 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

## Expert Witness Summary - Maddox

### 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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

**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 (Administrative Law Court)

**Testimony:** Deposition and Trial

**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

## Expert Witness Summary - Maddox

**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

**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

**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

## Expert Witness Summary - Maddox

**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 (State Court)

**Testimony:** Trial

**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 (State Court)

**Testimony:** Trial

**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 WV 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

**Case:** Cox v. Harrell, et al.

**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

## Expert Witness Summary - Maddox

**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 place 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

**Case:** Baggett v. J.H. Fletcher, et al.

**Attorney:** John E. Warren, III  
Warren & Associates, L.L.C.  
105 19<sup>th</sup> 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

## Expert Witness Summary - Maddox

**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 (State Court)

**Testimony:** Trial

**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

## Expert Witness Summary - Maddox

**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 (State Court)

**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 (State Court)

**Testimony:** Deposition and Trial

**Case:** Murdock v. Trademark Properties, et al.

**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

## Expert Witness Summary - Maddox

**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

## Expert Witness Summary - Maddox

### 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



## Expert Witness Summary - Maddox

**Case:** Fink v. Eimco

**Attorney:** Michael J. Healey  
Healey, Davidson & Hornack, PC  
429 Fourth Avenue, 5<sup>th</sup> 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

## Expert Witness Summary - Maddox

**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:** Trial Complete (Federal Court)

**Testimony:** Deposition and Trial

**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

## Expert Witness Summary - Maddox

**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. 27<sup>th</sup> 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

### 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