

Expert Witness Summary

for

Michael E. Maddox, PhD, CHFP
(5/12/18)

2018

Case: Rotberg v. Rutledge

Attorney: Ann Groninger

Copeley, Johnson & Groninger

225 E. Worthington Ave.

Charlotte, NC 28203

Side: Plaintiff

Description: This case involves the death of a bicycle rider when he was struck from behind by a pickup truck during daylight hours.

Issues: The human factors issues include the visibility of the bicycle rider, the location of the bicycle rider in the travel lane, the ability of the pickup truck driver to see the rider and to take evasive action, distraction on the part of the pickup truck driver due to his extensive use of his mobile phone, etc.

Status: Active

Testimony: Deposition

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

Expert Witness Summary - Maddox

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: Active

Testimony: Deposition

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

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2017

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

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: Active

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: Active

Testimony: Deposition

Expert Witness Summary - Maddox

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

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

Expert Witness Summary - Maddox

Case: Justice v. Greyhound

Attorney: Brian Beverly
Young, Moore, & Henderson
3101 Glenwood Avenue
Suite 200
Raleigh, BNC 27612

Side: Plaintiff

Description: This case involves injuries sustained by a State Trooper when his vehicle, which was stopped in a travel lane of an Interstate Highway, was struck in the rear by a Greyhound bus. The crash happened during daylight hours, but it was raining at the time.

Issues: The human factors issues include the visibility of the trooper's vehicle, the perception on the part of the bus driver that the trooper's vehicle was stopped, the reaction of the bus driver to the hazard posed by the trooper's vehicle, fatigue, perception-reaction time, etc..

Status: Active

Testimony: Deposition

Case: Everett v. FDB and Duke Energy

Attorney: Don Strickland
Twiggs, Strickland & Rabeneau
4309 Emperor Blvd
Suite 410
Durham, NC 27703

Side: Plaintiff

Description: This case involves the death of a camp counselor who was electrocuted and killed when the mast of the sailboat he was removing from the camp lake struck overhead utility lines.

Issues: The human factors issues include the training of the camp counselor with respect to the presence and danger of the power lines, the policy of the camp with respect to removing sailboats for transport, the visibility of the power lines, the effects of the lack of a warning sign, and the latent hazard posed by the power lines near a boat ramp.

Status: Case Suspended – Summary judgement on appeal

Testimony: Deposition

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

Expert Witness Summary - Maddox

Case: Price v. Jones

Attorney: Hugh McAngus
Chappel, Smith & Arden
2801 Devine Street
Suite 300
Columbia, SC 29211

Side: Plaintiff

Description: This case involves injuries incurred by a motorist when he crashed into the back of a logging truck that had pulled out of a driveway onto a 2-lane rural road and was traveling slowly.

Issues: The human factors issues include the visibility of the logging truck to the driver of the passenger vehicle and vice versa, the decision by the driver of the logging truck to pull out with a certain gap in oncoming traffic, the ability of the driver of the passenger vehicle to perceive the slow speed of the logging truck, the ability of the driver of the passenger vehicle to take effective evasive action, etc.

Status: Case Settled

Testimony: Expert Consulting

Case: Culclager v. General Motors

Attorney: Alex Gillen
Newsome Melton
201 South Orange Avenue
Suite 1500
Orlando, FL 32801

Side: Plaintiff

Description: This case involves the death of several individuals after their disabled passenger vehicle was struck in the rear by a tractor-trailer on an Interstate bridge.

Issues: The human factors issues include the expectation of the driver of the passenger vehicle with regard to the disabling incident and the ability of the driver of the passenger vehicle to steer the vehicle to an emergency lane after losing motive power.

Status: Case Settled

Testimony: Expert Report

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

Expert Witness Summary - Maddox

Case: Graves v. Childress

Attorney: Tod Eikner
Eikner & Eikner
Metrosouth Executive Park
3744 Dupont Station Court South
Jacksonville, FL 32217

Side: Defendant

Description: This case involves injuries incurred by a pedestrian when struck by a passenger vehicle while walking in a roadway during hours of darkness.

Issues: The human factors issues include the visibility of the pedestrian and the oncoming vehicle, the ability of both the pedestrian and the vehicle driver to take evasive actions to avoid the crash, etc.

Status: Case Settled

Testimony: Expert Consulting

Case: Blain v. Mears Destination Services

Attorney: Walter Ketcham
Grower & Ketcham
901 N. Lake Destiny Road
Suite 450
Orlando, FL 32751

Side: Defendant

Description: This case involves the death of a motorist whose stopped vehicle was struck from behind by a bus transporting tourists near Disney World.

Issues: The human factors issues include the visibility of the stopped vehicle, the ability of the bus driver to perceive that the vehicle in the road ahead was, in fact, stopped, the ability of the bus driver to effectively respond to the stopped vehicle, etc.

Status: Case Settled

Testimony: Expert Consulting

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2016

Case: Paige v. Gantt Trucking

Attorney: Hugh McAngus
Chappell, Smith & Arden
2801 Devine Street, Suite 300
Columbia, SC 29211

Side: Plaintiff

Description: This case involves the death of the driver of a passenger vehicle when he struck the rear of a tractor-trailer stopped in the high-speed travel lane of an Interstate Highway.

Issues: The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the decision of the truck driver to stop in a travel lane, the behavior of the driver of the passenger vehicle, perception-reaction time, etc.

Status: Case Settled

Testimony: Deposition

Case: Simmons v. Pilcher, et al.

Attorney: Bruce Daughtry
O'Malley Tunstall
405 North Main Street
Tarboro, NC 27886

Side: Plaintiff

Description: This case involves injuries incurred by a motorist who struck a flatbed trailer pulled by a truck as the truck exited a shopping area onto a 4-lane urban roadway.

Issues: The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the decision of the truck driver to begin his turning maneuver, the behavior of the driver of the passenger vehicle, perception-reaction time, gap acceptance, etc.

Status: Active

Testimony: Deposition

Case: Jones v. Eastgroup

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

Side: Plaintiff

Description: This case involves injuries incurred by an employee of an HVAC company when he fell through a skylight on the roof of a commercial building.

Issues: The human factors issues include the visibility of the skylight, the effect of directed attention on situation awareness, the effect of benign experience on the subjective estimation of risk, the effectiveness of warnings, etc.

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

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

Case: Kaminik v. Ooces and Werner Enterprises

Attorney: Alan Brady

Brady and Witters

608 S.E. 6th Street

Suite 7

Fort Lauderdale, FL 33301

Side: Plaintiff

Description: This case involves injuries sustained by a motorist who struck a tractor-trailer that turned across his path while accessing an Interstate entry ramp. The crash occurred at night.

Issues: The human factors issues include the visibility of the tractor and trailer, the visibility of the passenger vehicle, the ability of the motorist to perceive that the truck was crossing his lane of travel, the behavior of the drivers of the truck and automobile, the time available for the automobile driver to take evasive action, etc.

Status: Trial Complete

Testimony: Deposition and Trial

Expert Witness Summary - Maddox

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

Case: Stanley v. 12th Street Commercial Bank

Attorney: John Newby
Tronfeld, West & Durrett
4020 W. Broad Street
Richmond, VA 23230

Side: Plaintiff

Description: This case involves injuries incurred by a pedestrian when she fell while exiting a commercial building. The building is in an historic area with brick sidewalks. The exit vestibule of the building was paved with brick and included a short step down to the sidewalk.

Issues: The human factors issues include the visibility of the edge of the step down to the sidewalk, the optical illusion formed by the brick walking surfaces of the vestibule and the sidewalk, the significant difference in illumination between the inside and outside of the exit vestibule, the tripping mechanism, typical glance patterns of pedestrians, etc.

Status: Active

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Lofton, et al., v. Beasley, et al.

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

Side: Plaintiff

Description: This case involves the death of a motorist as a result of a collision between his vehicle and a tractor-trailer. The motorist was pulling out of a convenience store and was struck by an oncoming tractor-trailer. The crash occurred at night.

Issues: The human factors issues include the visibility of the oncoming tractor-trailer and the passenger vehicle, the behavior of both drivers, the ability of the tractor-trailer driver to take evasive action, etc.

Status: Active

Testimony: Expert Report

Case: Anderson v. Merchants

Attorney: David Hall
Baker Donelson
1400 Wells Fargo Tower
420 20th Street North
Birmingham, AL 35203

Side: Defendant

Description: This case involves injuries incurred by a dump truck driver when his vehicle was struck from behind by a tractor-trailer. At the time of the crash, the dump truck was following a backhoe that was moving slowly in the travel lane of a four-lane, high-speed highway. The crash occurred during daylight hours.

Issues: The human factors issues include the visibility of the dump truck, the behavior of the drivers of both vehicles, the ability of the driver of the tractor-trailer to detect the presence of the dump truck and to determine that it was moving slowly, the ability of the driver of the tractor-trailer to take effective evasive action, etc.

Status: Case Settled

Testimony: Expert Consultation

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

Expert Witness Summary - Maddox

Case: Crawford v. Schwingler

Attorney: Joe White

White & Weddle

630 Northeast 63rd Street

Oklahoma City, OK 73105

Side: Defendant

Description: This case involves injuries incurred by a motorist who was towing a flatbed trailer with a pickup truck. He was hauling an old farm tractor on the trailer and was driving a pickup truck. The pickup truck and trailer was traveling slowly in the right lane of an Interstate highway and was struck from behind by a tractor-trailer.

Issues: The human factors issues include the visibility of the pickup truck and trailer, the hazard posed by the slow-moving vehicle(s), the ability of the tractor-trailer driver to perceive the fact that the pickup truck and trailer were moving very slowly, the actions of the drivers of the pickup truck and the tractor-trailer, etc.

Status: Case Settled

Testimony: Expert Report

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

Testimony: Deposition and Trial

Case: Reilly v. Steel Fab Enterprises, et al.

Attorney: Tom Hall

Atlee Hall

415 North Duke Street

Lancaster, PA 17603

Side: Plaintiff

Description: This case involves injuries incurred by a motorist who struck a tractor-trailer that turned left across her lane of travel at a signalized intersection at which she had the right of way. The incident happened during hours of darkness.

Issues: The human factors issues include the visibility of the passenger vehicle and the tractor-trailer, the behavior of the drivers of both vehicles, the ability of the driver of the passenger vehicle to determine what type of vehicle was turning in front of her, the ability of the driver of the passenger vehicle to take effective evasive action, etc.

Status: Case Settled

Testimony: Expert Reports

Expert Witness Summary - Maddox

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

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

Testimony: Deposition and Trial

Expert Witness Summary - Maddox

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

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

Expert Witness Summary - Maddox

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

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

Expert Witness Summary - Maddox

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 1st Street
Suite 2810
Miami, FL 33128

Side: Defendant

Description: This case involves the death of a dockworker who was severely injured when his leg was run over by a top loader that was moving cargo containers around the dock at the Port of Miami. This incident occurred at night.

Issues: The human factors issues include the illumination levels in the vicinity of the incident, the ability of the dockworker to see the top loader, the ability of the top loader driver to see the pedestrians around his vehicle, etc.

Status: Case Settled

Testimony: Expert Consulting

Case: Gaskins v. Mitchell

Attorney: Robert Lee
Robert E. Lee, Attorney at Law
111 Witcover Street
Marion, SC 29571

Side: Plaintiff

Description: This case involves the death of a motorcycle driver after he struck a stopped tractor-trailer in his travel lane on a rural highway at night.

Issues: The human factors issues include the visibility of the tractor-trailer and the motorcycle, the ability of the motorcycle driver to perceive that the truck was stopped, the time available to the motorcycle driver to take evasive action to avoid the crash, etc.

Status: Case Settled

Testimony: Expert Consulting

Expert Witness Summary - Maddox

Case: Devoe v. Lovett

Attorney: Bill Stone
Saalfield Shad
245 Riverside Drive
Suite 400
Jacksonville, FL 32202

Side: Defendant

Description: This case involves injuries sustained by a pedestrian crossing a four-lane highway with a concrete divider. A car driven by defendants struck the pedestrian. The incident occurred at night.

Issues: The human factors issues include the visibility of the pedestrian and the oncoming car, the expectations of the driver of the automobile, the amount of time the driver of the automobile had to react to the pedestrian, etc.

Status: Case Settled

Testimony: Expert Consulting

Case: Denton v. Clark

Attorney: Jeff Scott
Law Offices of Jeff Scott
1309 Harding Place
Charlotte, NC 28204

Side: Plaintiff

Description: This case involves injuries sustained by the driver of a passenger vehicle when he struck a horse that was standing in the travel lane of a rural roadway during morning twilight. The horse intruded into the passenger compartment rendering the driver unconscious. The vehicle then struck a power pole on the side of the road.

Issues: The human factors issues include the visibility of the horse against the background, the illumination in the area of the crash, the actions of the driver in trying to avoid the horse, etc.

Status: Case Settled

Testimony: Expert Consulting

Case: Estate of Tapia v. Hucks, et al.

Attorney: Brian Hochman
Butler, Quinn & Hochman
4801 Independence Blvd.
Suite 700
Charlotte, NC 28212

Side: Plaintiff

Description: This case involves the death of a motorist when her vehicle was struck from behind by a tractor-trailer. Her passenger vehicle was stopped in a travel lane of an Interstate highway when she was struck.

Issues: The human factors issues include the visibility of the stopped vehicle, the ability of the tractor-trailer driver to perceive that the passenger vehicle was stopped, the actions taken by the tractor-trailer driver to avoid the crash, etc.

Status: Case Settled

Testimony: Expert Consulting

Expert Witness Summary - Maddox

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: Active

Testimony: Deposition

Case: Gibbs v. Shiver and L&J Transportation

Attorney: Rip Andrews
Marsh, Rickard & Bryan
800 Shades Creek Parkway
Suite 600-D
Birmingham, AL 35209

Side: Plaintiff

Description: This case involves the death of an infant and injuries to the driver of a passenger vehicle that struck the trailer section of a tractor-trailer that turned left from a side road and blocked her lane of travel. The crash occurred at night.

Issues: The human factors issues include the visibility of the tractor-trailer and of the passenger vehicle, the violation of gap acceptance standards by the truck driver, the reactions of the driver of the passenger vehicle, etc.

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Hendricks v. Millwood

Attorney: Robert Green

Law Offices of Robert F. Green & Associates
501 S. New York Avenue
Suite 230
Winter Park, FL 32789

Side: Plaintiff

Description: This case involves injuries sustained by a motorcycle driver when a car traveling in the same direction as he slowed, pulled to the right, and then attempted a U-turn. The motorcyclist struck the front left of the automobile as he attempted to pass on the left. The crash happened when it was dark.

Issues: The human factors issues include the visibility of the motorcycle and the automobile, the expectations of both drivers, the likelihood that the motorcycle driver perceived the intentions of the automobile driver, etc.

Status: Active

Testimony: Deposition

Case: Corbett v. Scruggs Concrete, et al.

Attorney: Haynes Studstill

Studstill Law Firm
311 North Patterson Street
Suite A
Valdosta, GA 31601

Side: Plaintiff

Description: This case involves the death of a driver who drove beneath a dump T-T that was blocking both lanes of a rural 2-lane roadway while turning around. It was dark and there was fog at the time.

Issues: The human factors issues include the visibility of the dump truck, the actions of the dump truck driver, the ability of the oncoming driver to evade the dump truck, etc.

Status: Case Withdrawn

Testimony: Expert Consulting

Case: Pender v. Florida East Coast Railroad (FEC)

Attorney: Eric Leach

Milton, Leach, Whitman, D'Andrea & Esslinger
815 S. Main Street
Suite 200
Jacksonville, FL 32207

Side: Plaintiff

Description: This case involves the death of a pedestrian who was struck by a train as he walked across an active track in a location that was not a grade crossing. The pedestrian was 17 years old and was wearing ear buds at the time of the incident.

Issues: The human factors issues include the visibility of the pedestrian and the train, the ability of the pedestrian to hear the train whistle, the walking speed of the pedestrian, the timeliness of actions by the locomotive crew, and potential reasons why the pedestrian did not react to the presence of the oncoming train.

Status: Active

Testimony: Deposition

Expert Witness Summary - Maddox

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: 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

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: Case Complete

Testimony: Deposition and Trial

Case: Gentry v. Kemper Construction

Attorney: Tyler Thompson

Dolt, Thompson, Shepherd & Kinney
13800 Lake Point Circle
Louisville, KY 40223

Side: Plaintiff

Description: This case involves the death of a construction worker who fell into the mixing section of a concrete mixer/pump. The latches on a door covering the mixer section were broken and a safety interlock was not functional, allowing the doors to move without shutting down the mixer section.

Issues: The human factors issues include the expectation of the construction worker to be able to walk on the doors with the broken hinges, the ability of observers to see that the door hinges were broken, the reliance of workers on the functioning interlocks, etc.

Status: Case Settled

Testimony: Expert Consultation

Expert Witness Summary - Maddox

Case: Rosenberg v. RDU Airport

Attorney: Marty Rosenberg

Martin A. Rosenberg, Attorney at Law
695 Hillside Dairy Road
Pittsboro, NC 27312

Side: Plaintiff

Description: This case involves injuries incurred by an elderly women who fell crossing between the terminal and the parking garage at RDU airport. The crosswalk area was elevated and included sloping ramps on either side of the flat walking area. Both slopes were striped with paint, as was the flat area. The incident occurred during hours of darkness.

Issues: The human factors issues include the visibility of the striping, the demarcation of the flat walking surface versus the sloped area, the demarcation of the curb adjacent to the sloped areas, the lack of barriers to keep pedestrians off of the sloped areas of the crosswalk, etc.

Status: Case Settled

Testimony: Expert Report

Case: The State of Kentucky v. Lassiter

Attorney: Guthrie True

True Guarnieri Ayer
124 West Clinton Street
Frankfort, KY 40601

Side: Defendant

Description: This case involves the death of the driver of a passenger vehicle that was stopped for construction when struck from behind by a pickup truck. The incident occurred on a four-lane highway during hours of daylight.

Issues: The human factors issues include the visibility of the stopped traffic to the oncoming pickup truck, the ability of the driver of the pickup truck to realize the vehicles ahead of him were moving very slowly or stopped, the looming threshold of the driver of the pickup truck, the ability of the driver of the pickup truck to respond to stopped traffic in time to effectively avoid striking the stopped vehicles, etc.

Status: Case Settled

Testimony: Expert Consultation

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

Expert Witness Summary - Maddox

Case: Orr v. Taco Bell

Attorney: Mike Bee
HPCB&D
500 Tracy Way
Charleston, WV 25311

Side: Plaintiff

Description: This case involves injuries incurred by a customer at a Taco Bell restaurant when she slipped and fell when she stepped on the wet floor of the public bathroom. The water on the floor came from a leaking sink.

Issues: The human factors issues include the visibility of the water on the floor, the expectation of the customer with respect to the floor surface, the most common slip mechanism for pedestrians, the ability of a person to recover from a slip once it has been initiated, etc.

Status: Case Settled

Testimony: Expert Report

Case: Tripp v. Penske Leasing and Branch

Attorney: Jon Berkelhammer
Ellis & Winters
300 North Greene Street
Suite 800
Greensboro, NC 27401

Side: Defendant

Description: This case involves the death of a passenger in a slow-moving or stopped automobile that was struck by a box truck while in the travel lane of a 4-lane highway in the early morning hours. It was dark at the time of the crash.

Issues: The human factors issues include the visibility of the slow/stopped vehicle, the expectation of the driver of the box truck, the ability of the driver of the box truck to ascertain that the passenger vehicle was, in fact, stopped or moving slowly, the reaction of the box truck, etc.

Status: Case Settled

Testimony: Expert Consultation

Case: Mashburn v. Franklin Heights Baptist Church, et al.

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

Side: Plaintiff

Description: This case involves injuries sustained by a teenager when she was struck by an automobile while participating in a church-sponsored scavenger hunt that was taking place in a dark urban area.

Issues: The human factors issues include the visibility of the pedestrians, the actions of the pedestrians and the driver whose vehicle struck them (two people were actually struck), the planning actions of the event organizers, etc.

Status: Active

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Lasek v. Keith

Attorney: Mark Bonner
Norman & Edem
127 N.W. 10th Street
Oklahoma City, OK 73103

Side: Plaintiff

Description: This case involves injuries incurred by a tractor-trailer driver when he crashed into the bottom of an overturned tractor-trailer on an Interstate highway at night. Prior to this crash, the original tractor-trailer ran off the highway, over-corrected, and overturned.

Issues: The human factors issues include the visibility of the overturned tractor-trailer, the factors leading to the original incident in which the tractor-trailer overturned, the ability of the oncoming driver to evade the overturned tractor-trailer, etc.

Status: Case Settled

Testimony: Deposition

Case: Camp v. Merit Builders

Attorney: William Plyler
Edwards Kirby
3201 Glenwood Ave.
Suite 100
Raleigh, NC 27612

Side: Plaintiff

Description: This case involves injuries incurred by an air-conditioning technician when he fell through a fiberglass panel on the roof of a building on which he was servicing an air-conditioning compressor. The entire roof, including a number of fiberglass panels, had recently been coated with a colored sealant.

Issues: The human factors issues include the visibility of the painted fiberglass panels with respect to the rest of the metal roof and the adequacy of a verbal "warning" given to the technician by the manager of the business operating in the building.

Status: Active

Testimony: Deposition

Case: Nguyen v. Hodges and Sureway Logistics

Attorney: Allen Smith
Hedrick, Gardner, Kincheloe & Garofalo
6000 Fairview Road
Suite 1000
Charlotte, NC 28210

Side: Defendant

Description: This case involves the death of two individuals in a secondary crash that occurred on an Interstate highway at night. A tractor-trailer struck a minivan that had previously overturned in a travel lane. The top of the black minivan was facing oncoming traffic. A pedestrian was at the minivan attempting to help the driver when he and the minivan were struck by an oncoming tractor-trailer.

Issues: The human factors issues include the visibility of the overturned minivan and the pedestrian, the actions of the tractor-trailer driver just prior to encountering the minivan, the expectations of the tractor-trailer driver, his perception reaction time, etc.

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

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

Case: Wilson v. Miami Dade County

Attorney: Eric Gressman
Assistant County Attorney
Miami Dade County Attorney's Office
111 NW 1st Street
Suite 2810
Miami, FL 33128

Side: Defendant

Description: This case involves the death of bicyclist who was struck by a City of Miami vehicle while riding his bicycle at night the wrong way in a bus lane.

Issues: The human factors issues include the visibility of the bicyclist, the behavior of the bicyclist, the expectations and behavior of the city vehicle, etc.

Status: Active

Testimony: Deposition

Case: Rogers 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: Active

Testimony: Deposition

Expert Witness Summary - Maddox

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

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

Expert Witness Summary - Maddox

Case: Jackson v. City of Charlotte, NC

Attorney: Bob McDonnell
Attorney at Law
212 S. Tryon Street
Suite 470
Charlotte, NC 28281

Side: Defendant

Description: This case involves injuries sustained by a motorcycle driver when he crashed into a city bus that turned left across his path.

Issues: The human factors issues include the visibility of the motorcycle driver and the motorcycle, the speed of the motorcycle, the visibility of the bus, expectations on the parts of the bus driver and motorcycle driver, etc.

Status: Case Settled

Testimony: Expert Consultation

Case: Green v. Norfolk & Southern Railroad

Attorney: Howard Spier
Rossman, Baumberger, Reboso & 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

Expert Witness Summary - Maddox

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

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

Expert Witness Summary - Maddox

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

Case: Perry v. Florida East Coast Railroad (FEC)

Attorney: Howard Spier

Rossman, Baumberger, Reboso & Spier
9155 S. Dadeland Blvd.
Suite 1200
Miami, FL 33156

Side: Plaintiff

Description: This case involves injuries sustained by a railroad worker when he tripped and fell over a rock placed in a paved area in which he was working.

Issues: The human factors issues include the visibility of the rock, the expectations of the worker, the tripping hazard presented by the rocks, typical gaze patterns of pedestrians, typical trip mechanisms, the likelihood of recovering from a trip once it is initiated, etc.

Status: Case Settled

Testimony: Deposition

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: Stalnaker v. East Texas Medical Center

Attorney: Carson Runge
Sloan, Bagley, Hatcher & Perry
101 East Whaley Street
Longview, TX 75601

Side: Plaintiff

Description: This case involves injuries incurred by the client of a small medical practice when she tripped over a wheel block in a parking lot while returning to her car. The wheel block was adjacent to a raised sidewalk and the incident occurred at night.

Issues: The human factors issues include the visibility of the sidewalk, parking lot surface, and wheel block, the levels of illumination in the parking lot, the shadows in the area of the fall caused by artificial lighting, the common trip mechanism for pedestrians, the ability of pedestrians to recover from a trip once it has been initiated, etc.

Status: Active

Testimony: Expert Report

Case: Walker v. Jackson & Sons Dairy

Attorney: Tad Griffin
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

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

Expert Witness Summary - Maddox

Case: Boan v. TG&G Trucking

Attorney: David Williams
Williams & Williams
1281 Russell Street
Orangeburg, SC 29115

Side: Plaintiff

Description: This case involves the death of the driver of a passenger vehicle that ran underneath the side of a trailer as a tractor-trailer was backing across and blocking a 2-lane highway into a private drive. The crash occurred at night in a rural area.

Issues: The human factors issues include the visibility of the tractor-trailer to the oncoming motorist, the visibility of the oncoming motorist to the driver of the tractor-trailer, the expectations of the motorist, looming threshold distance, available perception-reaction time, and the choice of the tractor-trailer driver to make the maneuver.

Status: Case Settled

Testimony: Expert Consultation

Case: Bellet v. Wurster and B&L Landscaping

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

Side: Plaintiff

Description: This case involves the death of the child who was struck by a service truck while riding a bicycle in the vicinity of a school.

Issues: The human factors issues include the visibility of the child, the behavior of the child, the expectations of the truck driver, the ability of the truck driver to perceive the bicycle and to take evasive action to avoid hitting it, etc.

Status: Case Settled

Testimony: Expert Consultation

Case: Littlejohn v. Werner Enterprises

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

Side: Plaintiff

Description: This case involves the death of the driver of a passenger vehicle that ran underneath the rear of a trailer as a tractor-trailer was backing up in the travel lanes of a 4-lane highway. The crash occurred at night.

Issues: The human factors issues include the visibility of the tractor-trailer to the oncoming motorist, the visibility of the oncoming motorist to the driver of the tractor-trailer, the expectations of the motorist, looming threshold distance, available perception-reaction time, and the choice of the tractor-trailer driver to make the maneuver.

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

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

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

Expert Witness Summary - Maddox

Case: Higginbotham v. Petroleum Transport, Inc.

Attorney: Noah Abrams
Abrams & Abrams
1526 Glenwood Avenue
Raleigh, NC 27608

Side: Plaintiff

Description: This case involves the death of the driver and passenger of a motorcycle that collided with a tractor-trailer that pulled out in front of them from a partially hidden business entrance at night.

Issues: The human factors issues include the visibility of the tractor-trailer to the motorcycle driver, the decision of the tractor-trailer driver to pull out when the motorcycle was close to the business entrance, the recognition of the hazard posed by the tractor-trailer, the perception and reaction of the motorcycle driver, etc.

Status: Case Settled

Testimony: Expert report

Case: Milliner v. Food Depot

Attorney: Travis Little
The Keener Law Firm
640 Village Trace
Marietta, GA 30067

Side: Plaintiff

Description: This case involves injuries incurred by a shopper at a retail grocery store when she tripped over a shopping cart stop bar attached to the floor near the front of the store. The bar was typically hidden by carts, but was uncovered at the time of her fall.

Issues: The human factors issues include the tripping hazard formed by the stop bar, the location of the stop bar adjacent to a phone card shop, typical glance behavior of people walking on even surfaces, the likelihood of the phone card shop drawing the shopper's attention, the typical mechanism for tripping, etc.

Status: Case Settled

Testimony: Expert report

Case: Orgeron v. Southern Tank Transport

Attorney: Kevin Kendred
Adkerson, Hauder & Bezney
1700 Pacific Avenue
Suite 4450
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

Expert Witness Summary - Maddox

Case: Proctor v. Town of Davidson, NC

Attorney: Chris Mauriello
Mauriello Law Offices
19810 W. Catawba Ave.
Suite E
Cornelius, NC 28301

Side: Plaintiff

Description: This case involves injuries incurred by a pedestrian when she stepped in a depression in a brick paver sidewalk and then tripped over a raised edge of a row of pavers at the edge of the depression.

Issues: The human factors issues include the hazard formed by the combination of the depression and raised edge, the visibility of the anomalies in the sidewalk, the typical glance patterns of pedestrians while walking on finished surfaces, the behavior of the pedestrian, etc.

Status: Case Settled

Testimony: Expert report

Case: Patten v. Papa John's, et al.

Attorney: Ken McKenna
Delleker, Wilson, King, McKenna, Ruffier & Sos
719 Vassar Street
Orlando, FL 32804

Side: Plaintiff

Description: This case involves injuries incurred by a patron to a Papa John's takeout restaurant when he fell over a drop-off while walking back to his car after picking up a pizza. This occurred during hours of darkness.

Issues: The human factors issues include the visibility of the drop-off, the lighting in the vicinity of the drop-off, the typical glance pattern of individuals walking on regular surfaces, the compliance of the pedestrian path to national standards, the likelihood of recovering once a trip and fall has begun, etc.

Status: Case Settled

Testimony: Expert report

Case: Spangler v. Union Pacific Railroad

Attorney: David Donna
Donna Law Firm
7601 France Avenue South
Suite 350
Minneapolis, MN 55435

Side: Defendant

Description: This case involves injuries incurred by a railroad worker when his arm came into contact with a passing locomotive while he was working in a rail yard at night.

Issues: The human factors issues include the ability of the worker to see the oncoming train as it approached, the actions of the oncoming train crew, the expectations of the yard worker, the procedures in place to prevent encroachment on an active track, etc.

Status: Case Settled

Testimony: Expert Consultation

Expert Witness Summary - Maddox

Case: Rohaidy v. All American Barricades

Attorney: David McDonald
McLuskey & McDonald
8821 S.W. 69th Court
Miami, FL 33156

Side: Plaintiff

Description: This case involves the death of a motorist who struck a stopped vehicle on the far side of a bridge with a vertical curve. The stopped vehicle was in a line of traffic that was stopped due to lane closures for a triathlon. The lanes on the near side of the hill were open and all the traffic control cones had been removed, thus leaving no visual cue as to the lane closures on the far side of the hill.

Issues: The human factors issues include the expectation of drivers going over the hill, the ability of motorists to judge that vehicles in front of them are moving slowly or are stopped, the perception-reaction time of the plaintiff, the role of lane closure warnings, etc.

Status: Case Settled

Testimony: Deposition

Case: Butts v. Town of Hanceville, et al.

Attorney: Rip Andrews
Marsh, Rickard & Bryan
800 Shades Creek Parkway
Suite 600-D
Birmingham, AL 35209

Side: Plaintiff

Description: This case involves the death of a motorist who was attempting to cross an intersection at night when her vehicle was struck by a police car traveling nearly 90 mph with no emergency lights or siren activated.

Issues: The human factors issues include the visibility of the police car and the motorist to each other, the ability of the motorist to judge the speed of the police car, the perceived crossing time available to the motorist, typical intersection crossing behavior of motorists, etc.

Status: Trial Complete

Testimony: Deposition and Trial

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 repaved and there were significant ditches along the outer edges of the roadway. The vehicle left the paved surface, ran along the ditch, then ran across the roadway and overturned. The outer edges of the roadway had not been painted with temporary fog lines and the crash occurred at night.

Issues: The human factors issues include the visibility of the edge of the pavement, the effects of disability glare due to oncoming headlights, driver distraction, visual cues used to keep lane position, typical glance behavior for drivers when negotiating curves, etc.

Status: Case Settled

Testimony: Expert Consultation (deposition in original case)

Expert Witness Summary - Maddox

Case: Myers v. Love's Travel Stops, et al.

Attorney: Jim Marshall
Bailey & Wyant
500 Virginia Street, East
Suite 600
Charleston, WV 25337

Side: Defendant

Description: This case involves injuries incurred by a tractor-trailer driver whose vehicle was being serviced on the shoulder of an Interstate highway by employees of a Love's Travel Stop. The driver was struck by another tractor-trailer while standing on the edge of the travel lane of the highway. The incident occurred at night.

Issues: The human factors issues include the visibility of the Love's service truck's emergency lights, the visibility of the oncoming tractor-trailer, the judgment of the injured tractor-trailer driver, etc.

Status: Case Settled

Testimony: Expert Consultation

Case: Sheffer v. Dalton

Attorney: Bill Lipscomb
Willardson & Lipscomb
206 East Main Street
Wilkesboro, NC 28697

Side: Defendant

Description: This case involves the death of the driver of a motor scooter after he ran into the side of an automobile that turned left across his path. The crash happened at a signalized intersection at night. The automobile was turning into an apartment complex. The scooter did not have an operating headlight, but a bicycle light was affixed to its handlebars.

Issues: The human factors issues include the visibility of the motor scooter and the turning automobile, the likelihood of the automobile seeing and correctly interpreting the bicycle headlight, and the behavior of both drivers.

Status: Trial Complete

Testimony: Disclosure affidavit

Case: Bhanot/Chapman v. Sundance Helicopters

Attorney: Gary Robb
Robb & Robb
One Kansas City Place
Suite 3900
Kansas City, MO 64105

Side: Plaintiff

Description: This case involves multiple deaths from the crash of a sightseeing helicopter based in Las Vegas. The helicopter crashed during the first 15 minutes of a sundown excursion from Las Vegas to the Hoover Dam. The NTSB concluded that the cause of the crash was the failure of maintenance technicians to properly secure a control linkage to the main rotor.

Issues: The human factors issue I was asked to address is fatigue on the part of the aviation maintenance technicians (AMTs) who performed major service on the helicopter the night before the crash.

Status: Trial Complete

Testimony: Deposition and trial

Expert Witness Summary - Maddox

Case: Tate v. Wright, et al.

Attorney: Steve Barnes
Barnes Trial Group
110 11th Street North
2nd Floor
Tampa, FL 33602

Side: Plaintiff

Description: This case involves injuries sustained by a person who was viewing a house for sale. She stepped into the foyer of the house and proceeded toward the back of the room when she fell over a stepdown into a sunken living room.

Issues: The human factors issues I was asked to address include the visibility of the stepdown, typical gaze patterns for pedestrians, typical trip and fall mechanisms, the use of depth perception to detect and appreciate changes in the level of walking surfaces, the optical illusion formed by the transition between tile and carpet at the stepdown, etc.

Status: Active

Testimony: Deposition

Case: Moffett v. Lowes Home Centers

Attorney: Tom LeQuire
Spicer Rudstom
537 Market Street
Suite 203
Chattanooga, TN 37402

Side: Defendant

Description: This case involves injuries sustained by a person who drove a pickup truck in reverse into the checkout area of the garden center at a Lowes Home Center.

Issues: The human factors issues I was asked to address include the layout and markings of the pickup area in front of the Lowes store, the potential use of barriers to prevent vehicles from driving into the checkout area, the likelihood that driver of the pickup truck pressed the accelerator instead of the brake while backing, etc.

Status: Case Settled

Testimony: Expert report

Case: Chapman v. North Carolina DOT

Attorney: Brent Adams
Brent Adams & Associates
119 Lucknow Square
Dunn, NC 28334

Side: Plaintiff

Description: This case involves injuries sustained by a driver who pulled out from a stop-controlled intersection into the main highway and was struck by a vehicle on the major road.

Issues: The human factors issues I was asked to address include the layout and signage of the intersection, the sight lines of the stopped driver from the stop line, the sight lines of the oncoming driver, the ability of the oncoming driver to avoid the collision, etc.

Status: Case Withdrawn

Testimony: Expert Consultation

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 1st Avenue North

St. Petersburg, FL 33705

Side: Plaintiff

Description: This case involves injuries received by a customer when he slipped on spilled liquid detergent in a shopping aisle

Issues: The primary human factors issues are the visibility of the spilled liquid, the likelihood that the customer would be looking at the floor in the vicinity of the spilled liquid, the role of the shopping cart in obscuring the spilled liquid, the likelihood of the customer recovering before falling after he slipped, and the spill monitoring strategy and procedures of the store.

Status: Active

Testimony: Deposition

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 2nd St., Suite 4500
Miami, FL 33131

Side: Plaintiff

Description: This case involves head injuries incurred by a patron of a bar/restaurant after being pushed backwards out of the front door of the establishment.

Issues: The primary human factors issue is whether the patron was exhibiting any significant motor control issues prior to being ejected from the restaurant. Lengthy surveillance videos of the patron's behavior prior to his injuries exist and form the basis for the analysis.

Status: Case Settled

Testimony: Deposition

Case: Burns v. Birge

Attorney: Mike Kirby

High, Stack & Gordon
525 E. Strawbridge Avenue
Melbourne, FL 32901

Side: Plaintiff

Description: This case involves injuries incurred by motorcycle driver and his passenger when a car in front of them stopped abruptly for no apparent reason.

Issues: The human factors issues include the expectations of the motorcycle driver, the behavior of the motorist who suddenly stopped, perceptual issues in rear-end crashes, braking and reaction time differences between motorcycles and cars, etc.

Status: Case Settled

Testimony: Verbal report prior to mediation

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 of a tire barrier.

Issues: The human factors issues include the adequacy of signage and warnings at the facility, instructions to the go-kart race participants, expectations of the go-kart drivers with respect to help from track attendants, and the adequacy of track monitoring by track attendants.

Status: Trial Complete

Testimony: Deposition and Trial

Case: Sanders v. Hubbard, et al.

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

Side: Plaintiff

Description: This case involves injuries incurred by motorist after she was struck from behind in an area of active road construction. The driver in this case was following a dump truck that slowed significantly before turning off the active highway.

Issues: The human factors issues include the visibility of the visibility of the dump truck and following car, perceptual issues regarding judging the speed of lead vehicles, the effects of dirt and sunlight on the visibility of the signal lights on the dump truck, driver behavior, expectation, perception-reaction time, etc.

Status: Case Settled

Testimony: Deposition

Case: DeBord v. Indian River Furniture

Attorney: Joe Gillin
Gillin, Gillin & Lindbaek
780 S. Apollo Boulevard
Suite 102
Melbourne, FL 32901

Side: Plaintiff

Description: This case involves injuries incurred by a customer after leaving a furniture store and tripping over a wheel stop while moving to the passenger side of her vehicle.

Issues: The human factors issues include the visibility of the wheel stop (which was unpainted), the obscuration of part of the wheel stop by the vehicle, the compliance of the furniture store with national safety standards, the glance pattern of the customer as she was walking, and the likelihood of arresting her fall once it began.

Status: Case Dismissed

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Whittaker v. Wilford

Attorney: Mike Moran
Harrell & Harrell
4735 Sunbeam Road
Jacksonville, FL 32257

Side: Plaintiff

Description: This case involves injuries incurred by a motorcycle driver when an SUV turned left across his lane of travel. The crash happened during the daytime. The motorcycle had its headlight turned on. The driver of the SUV claims to have never seen the motorcycle prior to the crash

Issues: The human factors issues include the visibility of both the motorcycle and the SUV, level of attention for both drivers, the perception-reaction time of the motorcycle driver, the actions of both drivers prior to the crash, and the expectations of the motorcycle driver.

Status: Trial Complete

Testimony: Deposition

Case: Brummit v. Morningside of Belmont

Attorney: Bryan Smith
Morgan & Morgan
40 S. Main Street
Suite 2600
Memphis, TN 38103

Side: Plaintiff

Description: This case involves injuries incurred by the resident of an assisted living facility when she slipped and fell coming out of an elevator. The floor of the elevator lobby was being replaced and there was a leveling compound on the floor adjacent to the elevator doors.

Issues: The human factors issues include the visibility of the wet leveling compound, the ability of the person working on the floor to see the plaintiff before she exited the elevator, the safety plan related to replacing the flooring in the elevator lobby, the execution of the safety plan, the staffing of the construction job at the time of the plaintiff's fall, warnings related to the work taking place in the elevator lobby, etc.

Status: Case Settled

Testimony: Verbal report and disclosure

Case: Milton v. Bernhardt Transportation, et al.

Attorney: Clay Hornsby
Morris, Haynes, Hornsby, Wheelles & 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 2nd Street
Suite 4500
Miami, FL 33131

Side: Plaintiff

Description: This case involves injuries incurred by a real estate agent when she fell at a transition between the foyer and sunken living room after she entered a house being held open for brokers and agents

Issues: The human factors issues include the visibility of the vertical transition in the floor, the optical illusion caused by geometric floor tile, the lack of visual cues regarding the presence of the transition, the glance behavior of pedestrians in indoor spaces, the mechanism for falling over vertical transitions, etc.

Status: Trial Complete

Testimony: Deposition and trial

Case: Sedore v. Holden Brothers

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

Side: Plaintiff

Description: This case involves injuries incurred by a customer of a produce store when she hit the corner of a wooden pallet supporting a produce display. The pallet was protruding approximately a foot into the aisle of the store and supported a large cardboard box containing watermelons. A crowd of customers had gathered around the display at the time of the injury.

Issues: The human factors issues include the visibility of the pallet, the hazard formed by the protruding pallet, the expectation of customers regarding walking hazards in the store, typical glance patterns of people walking on level surfaces, the effect(s) of other customers in the vicinity of the pallet, etc.

Status: Case Settled

Testimony: Deposition

Case: Klinkerman v. Sagestar, Inc.

Attorney: Carson Runge
Sloan, Bagley, Hatcher & Perry
101 East Whaley Street
Longview, TX 75601

Side: Plaintiff

Description: This case involves injuries incurred by a paraplegic who drove his motorized wheelchair over a curb and onto a lower roadway surface while trying to enter the lobby of a hotel.

Issues: The human factors issues include the visibility of the curb, the placement of the sidewalk and curb relative to the handicapped parking area and the front entrance, the optical illusion formed by the curb and the adjacent sidewalk and driveway, the ability of the plaintiff to perceive the drop-off of the curb to the lower driveway, etc.

Status: Case Settled

Testimony: Expert report

Expert Witness Summary - Maddox

Case: Mittelsteadt v. OHM Bistro and Stephen Helms

Attorney: Carol Kendrick
Huffman & Kendrick
340 West Morgan Street
Monroe, NC 28112

Side: Plaintiff

Description: This case involves the death of a bicyclist as the result of being struck by an automobile during hours of darkness. The bicyclist was riding on the very right edge of a rural, but well-lit highway. The motor vehicle driver was intoxicated and left the scene of the collision despite severe damage to his vehicle.

Issues: The human factors issues include the visibility of the bicyclist, the likelihood that the motor vehicle driver would be able to see the bicyclist with the prevailing ambient light, the behavior of both the bicyclist and the motor vehicle driver, and the likelihood that inebriation on the part of the motor vehicle driver contributed to the collision.

Status: Case Settled

Testimony: Verbal expert report

Case: Keaton v. Park Place Performing Arts

Attorney: Eric Richardson
Oxner, Thomas & Permar
1155 Revolution Mill Drive
Studio 4
Greensboro, NC 27405

Side: Plaintiff

Description: This case involves injuries sustained by an individual participating in a leadership exercise being conducted on the raised performance stage of a theatre.

Issues: The human factors issues include the nature of the inherent hazard presented by the raised stage, the loss of situation awareness by the individual who fell from the stage, the effectiveness of individuals monitoring the exercise, the likelihood that the immersive nature of the exercise would cause a loss of SA, etc.

Status: Case Settled

Testimony: Affidavit

Case: Strugala v. FB Contractors

Attorney: Steve Barnes
Barnes Law Group
110 11th St. North
2nd Floor
Tampa, FL 33602

Side: Plaintiff

Description: This case involves injuries sustained by an employee when she tripped and fell while entering her office building. Renovations to the floor of the entry floor were underway and masonite sheets had been placed over the floor to cover the work in progress.

Issues: The human factors issues include the compliance of the modified floor surface to established standards related to safe walking surfaces, the mechanism of the trip, the typical gaze patterns of people as they are walking, the attention of the individual who fell, the existence and visibility of vertical discontinuities on the flooring surface, etc.

Status: Trial Complete

Testimony: Deposition and trial

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
20th Floor
Baton Rouge, LA 70801

Side: Defendant

Description: This case involves the deaths of two occupants of a vehicle that was struck from behind by a tractor-trailer. The struck vehicle was traveling very slowly in the travel lane of an interstate highway at night.

Issues: The human factors issues include the visibility of the slow-moving automobile, the perception that the automobile was traveling slowly, the hazard presented by the slow-moving vehicle, the perception-reaction time of the driver of the tractor-trailer, the contribution, if any, of fatigue on the part of the tractor-trailer driver, etc.

Status: Trial Completed

Testimony: Deposition

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 140th Street
Alachua, FL 32616

Side: Defendant

Description: This case involves the death of a motorist who struck the rear of a loaded logging truck that was turning off a major highway at night.

Issues: The human factors issues include the visibility of the 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

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

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 5th Street

Fernandina Beach, FL 32034

Side: Plaintiff

Description: This case involves a rear-end collision between a passenger vehicle and a slowed or stopped garbage truck. The crash occurred on the uphill portion of the Dames Point Bridge near Jacksonville, FL. The garbage truck, traveling in the middle lane of three, slowed and then stopped on the uphill section of the bridge. The plaintiff struck the rear of the garbage truck just before or just after it stopped.

Issues: The human factors issues include the ability of the oncoming driver to perceive that the garbage truck was nearly stopped, the perception-reaction time of the oncoming driver, the actions of the driver of the garbage truck, and others.

Status: Case Settled

Testimony: Video statement

Case: Weiss v. Kiewit Southern

Attorney: Joe Gillin, Jr.

Gillin & Gillin

780 South Apollo Blvd

Suite 102

Melbourne, FL 32901

Side: Plaintiff

Description: This case is one of two stemming from the same incident. An Interstate highway interchange was under construction and the construction company (the defendant) placed temporary concrete barriers at the right edge of the highway. Through a series of incidents, an individual hit the attenuator at the end of the concrete barriers, spun around, and wound up on the left side of the highway. Another vehicle (driven by the plaintiff) struck that disabled vehicle. The crash happened during the early morning hours when it was still dark.

Issues: The human factors issues include the ability of the oncoming driver to see and avoid the disabled vehicle, the ability of other vehicles to see and avoid the temporary concrete barriers, and other factors related to visual perception and driver behavior in the vicinity of the attenuator and the concrete barriers.

Status: Case Settled

Testimony: Consultation only

Case: Drafts v. Sanford and Valley Proteins, et al.

Attorney: Paul Detrick

Peters, Murdaugh, Parker, Eltzroth & Detrick

101 Mulberry Street East

Hampton, SC 29924

Side: Plaintiff

Description: This case concerns a trailer under-ride crash. The crash occurred when the driver of a heavily loaded tractor-trailer attempted to make a left turn onto a two-lane highway from a side road. The intersection had limited sight distance and was at the foot of a hill on the main highway. The crash occurred at night. The plaintiff crested the hill on the main highway and despite braking efforts under-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 Completed

Testimony: Deposition and Trial (State Court)

Case: Wynne v. Royal Tours, et al.

Attorney: Dana Hoffman
Young Moore and Henderson
3101 Glenwood Avenue
Suite 200
Raleigh, NC 27612

Side: Defendant

Description: This case concerns injuries sustained by a passenger on a tour bus that collided with a tractor-trailer pulling out of a small road onto a two-lane road in a rural area. The crash happened during hours of darkness.

Issues: The human factors issues include the visibility of the tour bus and the tractor-trailer, the sight distance available to the driver of the tractor-trailer, the gap acceptance time that pertained to the tractor-trailer driver, the perception-reaction time of the bus driver, and the judgment of the tractor-trailer driver.

Status: Case Settled

Testimony: Consultation only

Case: Rosegreen v. BP

Attorney: Don Mason
Clark, Robb, Mason, Coulombe & Buschman
19 W. Flagler Street
14th Floor
Miami, FL 33130

Side: Defendant

Description: This case concerns injuries sustained by an individual entering the convenience store at a BP gasoline station. The allegation is that the plaintiff tripped over a curb in front of the entrance to the convenience store.

Issues: The human factors issues include the visibility of the curb, the lighting in the vicinity of the entrance at the time of the plaintiff's fall, the visual behavior of people as they're walking, and the typical mechanism(s) of tripping and falling.

Status: Attorney changed, released from engagement

Testimony: Consultation only

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 1st. St.
Suite 2810
Miami, FL 33128

Side: Defendant

Description: This case concerns an individual working at the Port of Miami who was struck and killed by a large forklift-like device (called a toploader) while he was working to offload a container ship.

Issues: The human factors issues include the visibility of the pedestrian, the general level of risk to pedestrians in the work environment, the sight lines of the equipment driver, the general ambient lighting at the time of the incident, the role of temporary concrete barriers in requiring the attention of the equipment operator, the behavior of the equipment operator, etc.

Status: Case Settled

Testimony: Consultation only

Case: Estate of Salter v. Food Lion, et al.

Attorney: Julie Bell

Patterson Dilthey
4020 WestChase Blvd, Suite 550
Raleigh, NC 27607

Side: Defendant

Description: This case concerns a tractor-trailer that struck a passenger car that was stopped or backing in the right travel lane of an interstate highway at dawn.

Issues: The human factors issues include the visibility of the passenger vehicle, the ability of the tractor-trailer driver to appreciate that the passenger vehicle was, in fact, stopped, the behavior of the drivers of the two vehicles, the perception-reaction time of the tractor-trailer driver, etc.

Status: Trial Completed

Testimony: Deposition and Trial (State Court)

Case: Bedell v. Elveus and Courier Center

Attorney: Michael Kirby

High Stack Gordon
525 E. Strawbridge Avenue
Melbourne, FL 32901

Side: Plaintiff

Description: This case concerns a pedestrian who was struck and injured in a parking lot by a delivery van backing out of a parking space. The van had no visibility to the back and the pedestrian's walking path took him behind the van.

Issues: The human factors issues include the visibility of the pedestrian from the van driver's position, the ability of the pedestrian to see, hear, and understand that the van was about to back up, the alternative delivery locations available to the van driver, the behavior of both the driver and pedestrian, and the design of the parking areas and walking paths in the parking lot.

Status: Case Settled

Testimony: Deposition

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

Testimony: Deposition and Trial (Federal Court)

Case: Spaugh v. McAnderson's Inc.

Attorney: Franklin Pope

Greg Jones & Associates
3015 Market St.
Wilmington, NC 28403

Side: Plaintiff

Description: The case involves an elderly woman who tripped and fell at a McDonald's restaurant. She tripped over a high chair that was protruding into a walking area.

Issues: The human factors issues include the visibility of the high chair, the behavior of the plaintiff, the mechanism of tripping, etc.

Status: Dismissed on Summary Judgment Motion

Testimony: Consultation only

Expert Witness Summary - Maddox

Case: Nolan v. C&S Building Maintenance

Attorney: Ken Carman

Carman, Beauchamp & Sang
3335 N.W. Boca Raton Blvd.
Boca Raton, FL 33431

Side: Defendant

Description: This case involves the death of a pedestrian who fell from a drawbridge when it was opened while he was crossing it. The Florida DOT was a third-party defendant and I was hired on their behalf.

Issues: The human factors issues include the visibility of the pedestrian to the drawbridge operator, adherence to bridge-opening procedures by the operator, warnings provided to pedestrians prior to opening the bridge, failure of pedestrians to comply with gates and audio warnings of impending bridge opening, time required for pedestrians to cross the bridge, etc.

Status: Case Settled

Testimony: Consultation only

Case: Williams v. Lee (Funderburk)

Attorney: Lance Avera

Avera & Smith
2814 SW 13th Street
Gainesville, FL 32608

Side: Plaintiff

Description: This case involves a tractor-trailer that was parked by the driver in a travel lane of a 4-lane highway (in order to visit a vegetable stand). The parked vehicle was struck from behind by a passenger vehicle and the driver of the passenger vehicle was killed. Plaintiffs represent the estate of the deceased driver.

Issues: The human factors issues include the visibility of the trailer, expectations of the driver of the passenger vehicle, the complexity of the visual scene, the ability to judge that the tractor-trailer was stopped, and the perception-reaction time of the plaintiff.

Status: Case Settled

Testimony: Deposition

Case: Clark v. Irvin, et al.

Attorney: Ralph 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 13th St.
Gainesville, FL 32608

Side: Plaintiff

Description: The case involves a homeless woman who was struck and killed while walking along the shoulder of an interstate highway at night. The driver of the tractor-trailer that struck the pedestrian was charged with hit and run.

Issues: The human factors issues include the ability of the truck driver to see the pedestrian, the actions of the pedestrian and the driver of the vehicle that struck her, the known perceptual issues related to pedestrian-vehicle collisions at night, etc.

Status: Case Settled

Testimony: Consultation only

Case: Cadet v. Wahab, et al.

Attorney: Liah Catanese

Alan Goldfarb, PA
100 Southeast 2nd St.
Suite 4500
Miami, FL 33131

Side: Plaintiff

Description: The case involves the death of a pedestrian crossing a major thoroughfare late at night in a construction zone.

Issues: The human factors issues include the ability of oncoming drivers to see the pedestrian, the actions of the pedestrian and the driver of the vehicle that struck him, the known perceptual issues related to pedestrian-vehicle collisions at night, the perceptual and cognitive tasks posed by the presence of a construction zone, etc.

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Liu v. Roadway Express

Attorney: Jim Gustafson

Searcy Denny Scarola Barnhart & Shipley

517 N. Calhoun St.

Tallahassee, FL 32301

Side: Plaintiff

Description: The case involves a highway collision between a large transfer truck and a minivan driven by the plaintiff. The truck ran into the back of the minivan at night on an interstate highway.

Issues: The human factors issues include the visibility of the minivan, the ability of the Roadway driver to see the minivan in the roadway, and the perception/reaction time available to the driver of the Roadway vehicle.

Status: Case Settled

Testimony: Deposition

Case: Bermudez v. Morton's Steakhouse

Attorney: Alan Goldfarb

Alan Goldfarb, PA

100 Southeast 2nd St.

Suite 4500Miami, FL 33131

Side: Plaintiff

Description: The case involves an elderly gentleman who tripped and fell in a Morton's Restaurant.

Issues: The human factors issues include the hazard posed by exposed table legs and feet, the visibility of the table feet, the width of access aisles in the restaurant, the mechanisms of tripping, and the likelihood of recovery after a fall is initiated.

Status: Trial Complete

Testimony: Deposition and Trial (State Court)

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 13th St.

Gainesville, FL 32608

Side: Plaintiff

Description: This case involves a young woman who was struck and killed while crossing a street while playing with friends. The incident happened near dusk on a four lane urban street with a median.

Issues: The human factors issues include the visibility of the young lady who was struck and the behavior of the driver of the car that struck her.

Status: Case Settled

Testimony: Deposition

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

Testimony: Trial (State Court)

Case: Drum v. Hall, et al.

Attorney: Brent Patterson

Patterson Adams
1305 E. Garrison Blvd.
Gastonia, NC 28054

Side: Plaintiff

Description: This case involves a traffic crash in which two of the defendants turned their tractor-trailers left onto a two-lane road at a stop-controlled intersection at night. The plaintiff struck the second tractor-trailer as it was crossing the plaintiff's lane of travel.

Issues: The human factors issues include the sight distance available to the defendants' before beginning their turn, the visibility of the defendants' vehicles to the plaintiff, the effects of glare from the headlights of the first tractor-trailer (disability glare), and the behavior of the defendant at the intersection.

Status: Trial complete

Testimony: Deposition and Trial (State Court)

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

Testimony: Deposition and Trial (State Court)

Case: McCord v. Tracker Marine

Attorney: Jannea Rogers
Adams and Reese
11 North Water Street
Mobile, AL 36602

Side: Defendant

Description: This case involves the death of the plaintiff's daughter after falling from a boat when the boat turned to pick up a downed wake boarder. The decedent was sitting on the deck of the boat instead of in an actual seat.

Issues: The human factors issues include the potential use of warnings to discourage occupants of the boat from sitting on the deck area.

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Mathieson v. WVU Board of Governors

Attorney: Al Karlin

Alan N. Karlin & Associates
174 Chancery Row
Morgantown, WV 26505

Side: Plaintiff

Description: A maintenance worker at West Virginia University fell through a large smoke vent on the roof of a stadium facility and died. There was no guarding around the smoke vent, nor was there any fall protection program in place at the time of the incident.

Issues: The human factors issues include the design of the resetting mechanism on the smoke vent, the absence of guarding around the vent opening, the absence of a catch grating below the vent, the absence of a fall protection program at the University, and the behavior of Mr. Mathieson with respect to maintaining the smoke vent.

Status: Case Settled

Testimony: Consultation only

Case: Barnes v. Jones Lumber Company

Attorney: Marshall Wall

Cranfill Sumner & Hartzog
PO Box 27808
Raleigh, NC 27611

Side: Defendant

Description: This case involves a traffic crash in which the defendant parked a disabled tractor-trailer off the right side shoulder of a four-lane highway. The plaintiff drove well off the highway and struck the tractor-trailer after a rainstorm. The crash occurred during daylight hours.

Issues: The human factors issues include the visibility of the defendant's vehicle and the behavior of the plaintiff.

Status: Case Settled

Testimony: Consultation only

Case: Gregory Hartgrove v. TAB Transport, et al.

Attorney: Guy Crabtree

Pulley, Watson, King & Lischer, P.A.
905 West Main St.
21F Brightleaf Square
Durham, NC 27701

Side: Plaintiff

Description: This case involves an individual who ran beneath a container truck as the truck was backing into a parking area adjacent to a two-lane highway. In the process of backing, the tractor-trailer blocked the lane of the plaintiff's vehicle. The crash occurred during nighttime hours.

Issues: The major issues are the visibility of the container (trailer) as it sat across the plaintiff's lane of travel, the reaction time available to the plaintiff, and the actions of both the truck driver and the plaintiff.

Status: Case Settled

Testimony: Consultation only

Expert Witness Summary - Maddox

Case: Kimberly Morgan v. Raytec Construction Resources, Inc.

Attorney: Michael O'Connor
O'Connor & Associates
PO Box 592
Bryan, TX 77806

Side: Plaintiff

Description: This case involves an individual who struck a cement construction barrier at night. The contact with the barrier caused the plaintiff's vehicle to cross into the oncoming lane of traffic, which initiated a head-on collision with an oncoming vehicle

Issues: The major issues are the placement and visibility of the construction barriers, the effects of obscuring the fog line on the right edge of the two-lane road, and the behavior of the plaintiff as she drove through the construction area.

Status: Case Settled

Testimony: Expert report

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 1st St., Suite 2810
Miami, FL 33128

Side: Defendant

Description: This case involves a traffic crash at a stop-sign-controlled intersection in which one of two stop signs was obscured by foliage.

Issues: The human factors issues include the visibility of the stop sign(s) from the defendant's vehicle and the behavior of the defendant at the intersection.

Status: Case Settled

Testimony: Consultation only

Case: Haslem v. Adonel and Peres

Attorney: Dale Friedman
Conroy, Simberg, Ganon, Krevans, Lurvey, Morrow & Schefer
3440 Hollywood Blvd.
Hollywood, FL 33021

Side: Defendant

Description: This case involves a traffic crash in which the defendant entered a stop-sign-controlled intersection into the path of the plaintiff.

Issues: The human factors issues include the visibility of the plaintiff from the defendant's vehicle and the behavior of the defendant and plaintiff at the intersection.

Status: Case Settled

Testimony: Consultation only

Case: Houston v. First Fleet

Attorney: David M. Duke
Young Moore and Henderson
3101 Glenwood Avenue
Raleigh, NC 27612

Side: Defendant

Description: This case involves a late night collision between a stopped automobile and a transfer truck. There was an active police-screening roadblock on the other side of the highway at the time of the crash.

Issues: The human factors issues include the visibility of the stopped automobile, the ability of the truck driver to perceive that the passenger vehicle was stopped, and various distractions caused by an adjacent police roadblock.

Status: Case Settled

Testimony: Verbal expert report

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

Testimony: Deposition and Trial (Administrative Law Court)

Case: Harvey v. South Carolina DOT, et al.

Attorney: Michael Pauley
Vinton D. Lide & Associates
5179 Sunset Boulevard
Lexington, SC 29072

Side: Defendant

Description: This case involves the death of a young, handicapped man who was a passenger in a van driven by his mother. The mother stopped at an unguarded railroad crossing and then proceeded across the tracks directly in the path of an oncoming train.

Issues: The human factors issues include the visibility of the oncoming train, the clarity of traffic signs at the railroad crossing, and the ability of the driver to hear the train whistle.

Status: Case Settled

Testimony: Deposition

Case: Comstock v. South Carolina DOT

Attorney: Jon Moore
Brown, Moore & Associates
930 East Boulevard
Charlotte, NC 28203

Side: Plaintiff

Description: This case involves a motorcycle rider driving on a road that had been revised by the SCDOT so as to provide an illusion (at night) that it continued, when, in fact, it made a sharp turn to the left. The driver ran off the road at the turn and was injured.

Issues: The primary human factors issues are the visibility of the road transition, the expectation of drivers at night when seeing approaching headlights on what appeared to be the road on which he was traveling, the reaction time of the motorcycle driver and his ability to see and respond to the abrupt end of the road.

Status: Case settled

Testimony: Expert report

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

Testimony: Trial (State Court)

Case: Earlene Whittington v. Red Roof Inn

Attorney: Robert Tatum
Tatum Atkinson & Lively, PLLC
3344 Hillsborough St.
Raleigh, NC 27607

Side: Plaintiff

Description: This case involves a trip and fall accident at a Red Roof Inn near Greensboro, NC.

Issues: The major issues are the design of the parking and room entry areas at the Red Roof Inn and the reasonableness of the actions of Ms. Whittington as she walked between her room and her vehicle.

Status: Case settled

Testimony: Expert report

Case: Chapin Furniture Outlet v. Town of Chapin, et al.

Attorney: Michael S. Pauley
Vinton D. Lide & Associates, LLC
5179 Sunset Boulevard
Lexington, SC 29072

Side: Defendant

Description: This case involves the placement of an electronic advertising sign in the town of Chapin, SC, in violation of a town ordinance.

Issues: The major issues are the potential for driver distraction by a programmable (content changing) electronic sign and whether the Town of Chapin was reasonable in excluding the placement of such signs within their town limits.

Status: Motion for summary judgment for defendants granted

Testimony: Expert report

Expert Witness Summary - Maddox

Case: Shelia Green, et al., v. SCDOT and Ireather Graves

Attorney: William P. Hatfield
The Hyman Law Firm, LLP
170 Courthouse Square
Florence, SC 29503

Side: Plaintiff

Description: This case involves the crash of the plaintiffs into another vehicle at an intersection on a rural road in South Carolina.

Issues: The major issues are the design of the intersection, the visibility of oncoming vehicles turning across traffic, and the reaction time available to oncoming vehicles.

Status: Trial complete

Testimony: Trial (State Court)

Case: Blackburn v. SCDOT

Attorney: Miriam Carroll
Lucas, Denning & Ellerbe, P.A.
208 North Webb St.
Selma, NC 27576

Side: Plaintiff

Description: This case involves a traffic crash in which a drunk driver ran a stop sign, entered a major two-lane road, and caused a crash that killed three people.

Issues: The major issue in this case involves the design of the intersection, specifically the lack of a traffic signal. The intersection has been the source of a number of complaints from local residents and is considered to be dangerous because of the lack of visibility of oncoming traffic.

Status: Case Settled

Testimony: Deposition

Case: Bailey v. Southern Equipment Company

Attorney: Sarah Ellerbe
Lucas, Denning & Ellerbe, P.A.
208 North Webb St.
Selma, NC 27576

Side: Plaintiff

Description: This case involves a traffic crash in which a cement truck turned in front of the plaintiff at a four-way intersection.

Issues: The only issue in this case involves possible assignment of contributory negligence on the part of the plaintiff. The defendants have already admitted fault for the incident. The major human factors issues are the expectation of the plaintiff regarding the cement truck, the visibility of the truck, and the reaction time available before the crash.

Status: Case settled

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Dean, et al., v. Raytheon

Attorney: Mary Schiavo
Motley Rice, LLC
28 Bridgeside Blvd
Mt. Pleasant, SC 29465

Side: Plaintiff

Description: This case involves an aircraft crash that was the result of a maintenance error. The error essentially reversed the operation of the pitch trim control on the aircraft. Two pilots were ferrying the aircraft to a maintenance station. The aircraft became uncontrollable after takeoff and eventually crashed into the water near Hyannis, MA.

Issues: The maintenance procedure during which the pitch trim control was reversed was described in a maintenance manual. The procedure included a drawing of the pitch trim control drum. The drawing was reversed from its actual orientation in the airplane. The primary issue related to the contribution of the incorrect procedure (and the overall complexity of the pitch trim control cable layout) to the maintenance error.

Status: Case settled

Testimony: Deposition

Case: Alt v. HBE Corp.

Attorney: Claire Murray
Weinbert, Wheeler, Hudgins, Gunn & Dial, LLC
950 East Paces Ferry Road
Atlanta, GA 30326

Side: Defendant

Description: This case involved an individual who was injured after falling down a flight of stairs in a hotel. The incident occurred during the weekend of a very popular football game noted for its party atmosphere. It occurred in the early morning hours after the football game. The plaintiff claimed that she stepped on a beer bottle that had been left on the stairs.

Issues: The main issues were the behavior of the people with regard to descending stairs, the visibility of a beer bottle on the stairs on which the incident occurred, the lighting of the stairs, and the design and construction of the stairs.

Status: Case settled

Testimony: Verbal expert report

Case: Pringle/Gragg v. Fernandez

Attorney: Steven Barnard
Barnett & Barnard, PA
4601 Sheridan Street
Suite 505
Hollywood, FL

Side: Defendant

Description: This case involved injuries to a young man who was struck by the defendant's vehicle. The defendant and bystanders claimed the young man ran into the street from behind a stopped bus. The defendant claimed he never saw the young man until after he was struck by the defendant's vehicle.

Issues: The primary issues in this case relate to driver visual behavior while driving, the amount of possible detection and reaction time in the circumstances of the incident, and the most likely scenario for the young man's behavior leading up to the collision.

Status: Case settled

Testimony: Verbal expert report

Expert Witness Summary - Maddox

2000 - 2005

Case: Wolfe v. Ellis and 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 19th Street East
Jasper, AL 35502

Side: Plaintiff

Description: This case involves injuries sustained by an individual working on a roof-bolting machine in an underground coal mine.

Issues: The primary issues in this case are the design of the underground roof bolting machine and its foreseeable use in mining operations. Secondary issues relate to the ability of operators to see an unsafe condition involved the location of roof bolts relative to moving parts of the roof-bolting machine.

Status: Case Settled

Testimony: Deposition

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

Testimony: Trial (State Court)

Case: Blanton vs. Cleveland Regional Hospital, et al.

Attorney: Brian Davis
Davis & McCabe, PA
7325 East U.S. 64 Highway
Knightdale, NC 27545

Side: Plaintiff

Description: This case involved injuries suffered while a patient in the Cleveland Regional Hospital.

Issues: The ability of humans to adapt to various levels of illumination, ability of nursing staff to see objects in a darkened room, general standards of safety, safety processes, compliance with JCAHO reporting requirements.

Status: Case Settled

Testimony: Deposition

Case: Maher vs. Red Roof Inn

Attorney: John McCabe
Davis & McCabe, PA
7325 East U.S. 64 Highway
Knightdale, NC 27545

Side: Plaintiff

Description: This case involves injuries suffered in a fall on the outside steps at a Red Roof Inn in Raleigh, NC.

Issues: Perception of water on steps, standard of care in ascending/descending stairs, ability to recover from fall once it is initiated, expectation of traction on stairs, human locomotion while climbing/descending stairs, duty to warn.

Status: Case Settled

Testimony: Deposition

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

Testimony: Deposition

Case: Frattone v. WalMart, Inc.

Attorneys: Brian Davis and John McCabe
Davis & McCabe, P.A.
7325 East U.S. 64 Highway
Knightdale, NC 27545

Side: Plaintiff

Description: This case involved an injury caused by slipping and falling on a wet floor in a WalMart discount store.

Issues: The specific issues I am addressing in this case are the visibility of water on the floor and the ability of the person who slipped on the floor to recover from the slip prior to falling and striking the floor.

Status: Trial Complete

Testimony: Deposition and Trial

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, 5th Floor
Pittsburgh, PA 15219

Side: Plaintiff

Description: This case involves a serious injury incurred by an individual operating a motorized scoop in a low-seam coal mine. The operator lowered the scoop to the floor of the mine, causing the body of the machine to be raised against the mine roof. The operator was caught between the mine roof and the machine.

Issues: Design of the controls and displays, design of the hydraulic system, design of the operators station in the device, expected behavior on the part of the operator, visibility of the scoop position, training

Status: Case Settled

Testimony: Expert report

Case: Taylor v. Overnite Transportation, Inc., et al.

Attorney: Albert M. Orgain, IV
Sands Andersen Marks & Miller
PO Box 1998
Richmond, VA 23218

Side: Defense

Description: This case involved an accident in which a large tractor trailer had been involved in a minor accident at night. Because of the layout of the road shoulders, the driver could not pull completely off the highway. The plaintiff, who was then 16 years old, ran into the back of the parked trailer and suffered severe injuries.

Issues: Visibility of the tractor trailer, probability that the plaintiff could have known that the tractor trailer was not moving and was partially in the roadway, reaction times, anticipated driver behavior on the part of both the truck driver and the plaintiff, visual perception.

Status: Case Settled

Testimony: Verbal expert report

Case: Luck v. GSSW, et al.

Attorney: Tyrus V. Dahl, Jr.
Womble Carlyle Sandridge & Rice
200 West Second Street
Winston-Salem, NC 27102

Side: Plaintiff

Description: This case involves a slip and fall incurred by the plaintiff on an ice-covered apartment staircase. The fall caused serious spinal injuries.

Issues: Design of the staircase, probability that plaintiff could have visually (or otherwise) detected the presence of ice, foreseeable actions on the part of the plaintiff to avoid the fall or reduce the severity of the injuries he suffered.

Status: Summary judgment granted

Testimony: Deposition

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: Resolved at trial

Testimony: Deposition Trial (Federal Court)

Case: Harris v. Fletcher Equipment Co.

Attorneys: Alan Karlin and Barbara Fleishauer
174 Chancery Row
Morgantown, WV 26505

Side: Plaintiff

Description: This case involves a severe hand injury incurred by an individual working in an underground coal mine. The equipment involved in this case is a roof bolting machine.

Issues: Equipment and workstation design, foreseeable behavior, warnings

Status: Case Settled

Testimony: Deposition

Case: Smith v. Fletcher Equipment Co.

Attorneys: Alan Karlin and Barbara Fleishauer
174 Chancery Row
Morgantown, WV 26505

Side: Plaintiff

Description: This case involves the death of a person working in an underground coal mine. Mr. Smith died of injuries sustained while operating a roof bolting machine.

Issues: Equipment and workstation design, foreseeable behavior, warnings

Status: Case Settled

Testimony: Deposition

Case: Motsinger v. Hyundai Motor Company

Attorney: Joseph E. Downs
PO Box 408
King, NC 27021

Side: Plaintiff

Description: Ms. Motsinger was injured after being ejected from her automobile during a single-vehicle accident.

Issues: Equipment design, foreseeable behavior, anthropometry, warnings.

Status: Unknown

Testimony: Deposition

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. 27th St., Suite 350
Billings, MT 59103

Side: Plaintiff

Description: Mr. Raup was seriously injured while servicing a two-piece wheel rim attached to a school bus. This rim was the same type as that involved in the Baker v. Firestone case.

Issues: Product design, foreseeable behavior, warnings

Status: Case Settled

Testimony: Deposition

Expert Witness Summary - Maddox

Case: Westchem v. Ford Motor Company

Attorney: Rich Clapp

Letnes, Marshall, Fiedler & Clapp, Ltd.
401 DeMers Avenue, Suite 102
Grand Forks, ND 58206

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

Side: Defendant

Issues: System design, foreseeable behavior, warnings

Status: Case Settled

Testimony: Expert report

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