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# DAILY REPORT

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## Minimal Damage Rear-End Wreck Settled for \$5M Six Years Later on

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A MINIMAL-DAMAGE crash involving two pickup trucks netted a \$5 million settlement for a driver rear-ended in 2013 as he drove along Hamilton Mill Road in Buford.

Plaintiffs attorney Ben Brodhead said he was concerned missteps by the previous lawyers handling the litigation before his might scuttle the case.

“I had concerns about whether I could resurrect this case,” said Brodhead, noting among other things that the complaint didn’t name the defendant driver’s employer, even though he was in a company truck. There also had been no demand for his insurer’s policy limits, and an earlier voluntary dismissal and refileing barred Brodhead from filing fresh litigation.

But he was also armed with more than \$200,000 in medical bills his client, Wendell Puckett, accrued since the wreck, and he congratulated



Ashley Fournet (from left), Ben Brodhead, Holli Clark and John Nichols of Brodhead Law represented a man whose Ford F-150 was rear-ended by a Ford Ranger.

defense lawyers Mark Scott and Stephanie Brown of Nationwide Insurance’s in-house counsel, the Law Office of Natalie M. Smith, for resolving the case.

“It was very pleasant to work with the other side, because we could speak candidly about the

strengths and weaknesses of our case,” he said.

“They did a great job for their client, because they were able to minimize the risk,” said Brodhead, who handled the case with Brodhead Law colleagues Ashley Fournet, Holli Clark and John Nichols.

Scott and Brown did not respond to requests for comment Monday.

According to Brodhead and court filings, Puckett, now 54, was slowing his Ford F-150 for a stop when he was rear-ended by a Ford Ranger driven by Danny Boswell, who told an investigating officer he had been blinded by the morning sun.

Brodhead said there was virtually no damage to Puckett's truck, which the incident report said sustained "moderate" damage to the rear bumper.

Puckett mentioned some head and neck pain but refused an ambulance and drove his vehicle away.

Boswell reported no injuries and was cited for following too closely. Brodhead said Boswell's truck was more heavily damaged but that he later drove it away, as well.

In 2015, attorney Neil Flit filed suit on Puckett's behalf in Barrow County Superior Court. He dismissed that case and refiled in 2017. Two other attorneys entered



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—Ben Brodhead,  
plaintiffs attorney

an appearance for Puckett before Brodhead's firm stepped in earlier this year.

Puckett had undergone extensive treatment for neck pain and is still having problems that will likely require more treatment, Brodhead said.

It also turned out that Boswell was treated for neck problems related to the crash, Brodhead said.

Boswell's employer, Ideal Development Concepts, carried a \$1 million policy and \$4 million umbrella policy, he said.

"We sent over a Holt demand for their policy limits and showed that, if they decided to go to trial, we'd seek in excess of \$10 million," he said. "They decided to go ahead and and resolve it, because they definitely had some risk."

The order dismissing the case with prejudice was entered Sept. 9. A small circular logo with the letters "OR" inside.