

\$1.9 million awarded in accident

Motorist had stroke days after wreck

By Howard Pankratz
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A motorist who suffered a massive stroke days after apparently escaping injury when avoiding an accident on Interstate 25 was awarded \$1,955,000 by a jury Tuesday.

Brock Redden, a manager at a Gunther Toody's Diner, collapsed at work June 18, 1999, as a result of a tear to the carotid artery caused by the whiplash he suffered during the accident, according to medical testimony in the Denver District Court trial.

The artery tear in his neck interfered with the flow of blood to his brain and probably caused a clot — a combination that triggered the massive stroke in the 45-year-old, according to doctors.

Bruce Smith, Redden's lawyer, said Redden was northbound in the right lane on I-25 at Alameda Avenue on

June 12, 1999, when a truck owned by SCI Colorado Funeral Services cut across two lanes of traffic and attempted to exit at Alameda.

Smith said that Redden, in trying to avoid an accident, drove to the shoulder of the highway, where he plowed into a signpost. The two vehicles brushed each other and sustained minor damage.

Redden was shaken up and complained of soreness on the right side of his neck. But Smith said there was no immediate, significant injury. An officer arrived and ticketed the other driver, and everyone left.

"There was no need for an ambulance, nobody went to the hospital," said Smith. "Then six days later, Brock

had a massive stroke. The medical testimony was that the whiplash ... caused him to have a tear in his carotid artery. It cut off the blood flow and probably kicked off a clot.

"There was no medical question that was the cause of the stroke."

As a result of the stroke, Redden suffered permanent brain damage. He has language difficulties, thinking difficulties and no functional use of his right arm and hand.

Tim O'Neill, SCI lawyer, said the company "extends its sympathies to Mr. Redden and respects the jury process."

"This was a difficult case because of the very minor nature of the accident with such extensive injuries claimed. Appropriate appellate avenues will be

explored," O'Neill said.

Redden is married and has no children. His wife, Pat, is an accountant for Red Robin restaurants.

Redden now earns about \$7 an hour for a company that tests how well vehicles function at high altitude, said Smith.

Redden sued SCI, claiming the accident had been negligently caused by SCI's driver, William Turpin, and resulted in the damage to the artery and caused the stroke.

Smith called 14 witnesses, including three medical experts, during the six-day trial.

The jury awarded \$200,000 in non-economic damages for pain and suffering, \$1,055,000 for past and future lost earnings and medical expenses, and \$700,000 for permanent physical impairment.