

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	NINTH JUDUCIAL CIRCUIT
COUNTY OF CHARLESTON)	CASE NO.: 2020-CP-10-03043
)	
ERIC BERNARD BOWMAN,)	
)	
Plaintiff,)	ORDER
)	
v.)	
)	
WALLACE BLAIR CROSBY,)	
)	
Defendant.)	
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)	IN THE COURT OF COMMON PLEAS
Samantha Albert,)	NINTH JUDUCIAL CIRCUIT
)	CASE NO.: 2020-CP-10-03043
)	
Plaintiff,)	
)	
v.)	
)	
Eric Bernard Bowman,)	
)	
Defendant.)	
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This court conducted a post-trial review of the punitive damages awarded by the jury in the trial of this matter on June 13, 2024. Upon careful consideration of the testimony and evidence presented at trial, the court makes the following findings in accordance with Sections 15-32-520 and 15-32-530 of the South Carolina Code of Laws and applicable case law:

This case involved claims, counter-claims, and cross-claims among parties allegedly involved in an altercation outside Dunleavy’s Pub on Sullivan’s Island, SC in 2018. First-party Plaintiff Eric Bowman pled guilty in General Sessions Court to Assault and Battery Third Degree in 2023. This civil action was subsequently tried and a verdict rendered in favor of Defendant/Counter-claim Plaintiff Wallace Blair Crosby on his claims of Assault & Battery as against Eric Bernard Bowman in the following amounts¹:

\$1,865,483.20 (Actual Damages) and \$2,798,224.80 (Punitive Damages)

Our Supreme Court has determined the appropriate factors that may be considered by the trial court to ensure that a punitive damage award is proper: (1) defendant's degree of culpability; (2) duration of the conduct; (3) defendant's awareness or concealment; (4) the existence of similar

¹ The jury did not find for any claimant on any other claim, counter-claim, or cross-claim.

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past conduct; (5) likelihood the award will deter the defendant or others from like conduct; (6) whether the award is reasonably related to the harm likely to result from such conduct; (7) defendant's ability to pay; and finally, (8) "other factors" deemed appropriate. Gamble v. Stevenson, 305 S.C. 104, 111–12, 406 S.E.2d 350, 354 (1991).

- 1) Based on the overwhelming majority of the testimony and evidence, it appears that Bowman bore the greatest degree of culpability on the night of the incident – indeed striking Crosby twice with his golf cart/low speed vehicle;
- 2) Again – Crosby was struck twice – even Bowman admitted he hit him and slammed on brakes to make Crosby fall off the cart;
- 3) According to testimony, Bowman left the scene after the incident to go home and covered up his golf cart with a tarp, indicating awareness and arguably concealment;
- 4) No other similar past conduct was admitted as evidence at trial;
- 5) There is a strong likelihood that the jury's verdict will deter similar conduct in the future – many residents utilize golf carts on Sullivan's Island according to the testimony of several witnesses;
- 6) The jury's award is reasonably related to the actual harm resulting from Bowman's conduct,;
- 7) Testimony of the value of Bowman's Sullivan's Island home and the value of the recent sale of his company would indicate Bowman's worth/ability to pay to be substantial; and
- 8) The ratio of actual to punitive damages in the jury's award is reasonable and indicates that the jury listened carefully to the evidence presented at trial as well as the arguments of the attorneys, particularly the closing arguments. Furthermore, the jury deliberated for a reasonable amount of time and asked for a calculator at one point, indicating thorough thought into the amounts awarded. Given the verdict, no analysis under S.C. Code Ann. § 15-32-530 is required.

THEREFORE, this court finds the jury award proper and no revision necessary.

Presiding Judge, Circuit Court
Ninth Judicial Circuit

This ____ day of _____, 2024
_____, South Carolina



Charleston Common Pleas

Case Caption: Eric Bernard Bowman , plaintiff, et al VS Wallace Blair Crosby ,
defendant, et al
Case Number: 2020CP1003043
Type: Order/Jury Verdict

So Ordered

s/Jennifer B. McCoy #2764