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FORM 4

SC Court of Appeals

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2012CP4603907

STATE OF SOUTH CAROLINA
COUNTY OF YORK
IN THE COURT OF COMMON PLEAS

Julie R Jackson	Salvatore Joseph Jackson	John Doe	Travelers Commercial Insurance Company
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PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant
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DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRCP; Rule 41(a), SCRCP (Vol. Nonsuit);
 Rule 43(k), SCRCP (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRCP; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: SEE ATTACHED VERDICT FORM(S)

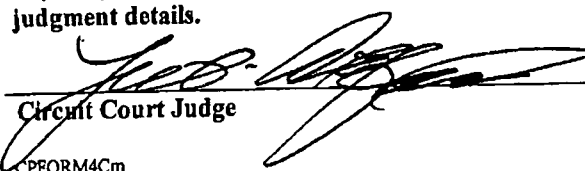
INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Plaintiff	JOHN DOE	\$ 936,650.00

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


Circuit Court Judge

2113
Judge Code

10/8/14
Date

For Clerk of Court Office Use Only

This judgment was entered on December 17, 2014, and a copy mailed first class or placed in the appropriate attorney's box on December 17, 2014, to attorneys of record or to parties (when appearing pro se) as follows:

F. Craig Wilkerson Jr.
1050 College Ave. Ext.
Rock Hill, SC 29732

William Pearce Davis
PO Box 8057
Columbia, SC 29202

Daniel Scott Slotchiver
44 State St.
Charleston, SC 29401

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

David Hamilton

Court Reporter

David Hamilton - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

IN THE COURT OF COMMON PLEAS
FOR THE SIXTEENTH JUDICIAL CIRCUIT

Julie R. Jackson, Individually, and as)
Personal Representative of the Estate of)
Salvatore Joseph Jackson,)

C/A NO.: 2012-CP-46-3907

Plaintiff,)
v.)

VERDICT FORM

John Doe,)
)
Defendant.)

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SC Court of Appeals

1. Do you find that the plaintiff proved by a preponderance of the evidence that an unknown vehicle driven by Defendant John Doe was negligent and made contact with the motorcycle and proximately caused the plaintiff's damages?

- Yes. If your answer is yes, GO TO QUESTION 2.
 No. If your answer is no, STOP AND DELIBERATE NO FURTHER.

2. Do you find that Mr. Jackson, the driver of the motorcycle, was negligent?

- Yes. If your answer is yes, GO TO QUESTION 3.
 No. If your answer is no, GO TO QUESTION 4.

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DEPARTMENT OF
COURT REPORTERS & CLERKS
YORK COUNTY, SC

3. Taking the combined negligence that proximately caused Mr. Jackson's injuries as one hundred percent (100%), what percentage of that negligence is attributable to Mr. Jackson and what percentage is attributable to the defendant John Doe? (The percentages must add up to 100%).

Mr. Jackson: 45 %

John Doe: 55 %

Total: 100 %

If Mr. Jackson's percentage of the combined negligence is greater than 50%, STOP AND DELIBERATE NO FURTHER.

If Mr. Jackson's percentage of the combined negligence is 50% OR LESS, GO TO QUESTION 4.

4. Please state the total amount of damages, if any, sustained by the plaintiff:

\$ 1,103,000

NOTE: If your answer to Question Number 3 was YES, do not reduce the plaintiff's damages above by the percentage of negligence attributed to the plaintiff in your answer to Question Number 4.

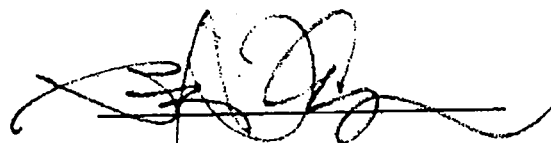
PUNITIVE DAMAGES

If the jury awards actual damages on the Wrongful Death cause of action, then you would consider punitive damages.

We the jury, find by clear and convincing evidence, the plaintiff is entitled to punitive damages and award punitive damages in the amount of \$ 330,000.

We the jury do not award punitive damages.

Please sign and date the verdict form before notifying the bailiff that you are finished.


Foreperson

York, South Carolina

October 8, 2014

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF YORK
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2012CP4603907

Julie R Jackson

Salvatore Joseph Jackson

John Doe

Travelers Commercial
 Insurance Company

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PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Court

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

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s/ Lee S. Alford
Circuit Court Judge

2113
Judge Code

12/17/2014
Date

For Clerk of Court Office Use Only

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1050 College Ave. Ext.
Rock Hill, SC 29732

William Pearce Davis
PO Box 8057
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STATE OF SOUTH CAROLINA)
COUNTY OF YORK)

IN THE COURT OF COMMON PLEAS
FOR THE SIXTEENTH JUDICIAL CIRCUIT

Case # 2012-CP-46-3907

Julie R. Jackson, individually and as PR)
of the Estate of Salvatore Joseph)
Jackson)

Plaintiff,)

vs.)

John Doe,)

Defendant.)

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SC Court of Appeals

ORDER

DAVID L. HUGHES
CLERK & S.
YORK COUNTY, SC

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This matter is before the Court on motion of the Defendant, John Doe, for Judgment Not Withstanding the Verdict (JNOV).

BACKGROUND

Plaintiff initiated this action contending, among other things, that her decedent sustained catastrophic injuries resulting in his death as a result of a motor vehicle accident on South Carolina Highway 49 near Lake Wylie, South Carolina, in which a vehicle driven by Defendant John Doe "did wrongfully contact the motorcycle of Plaintiff or swerved into Plaintiff's lane, causing the Plaintiff to leave the road/lane. . . ." (Complaint, ¶ 3.) In the Answer, Defendant admitted that the motorcycle being driven by Plaintiff's decedent left the roadway, as a result of which Plaintiff's decedent sustained catastrophic injury resulting in his death, but denied any involvement in said accident.

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JNOV STANDARD

The standard for a motion for JNOV is the same as that for a directed verdict. The evidence must be viewed in the light most favorable the party against whom the motion is made and all reasonable inferences must be drawn in favor of the non-moving party.

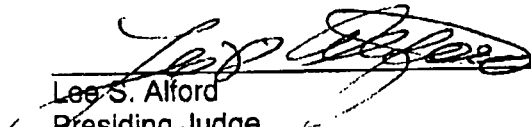
Steinke v. S. Carolina Dep't. of Labor, Licensing & Regulation, 336 S.C. 373, 386, 520 S. E. 2d 142, 148 (1999).

This is not a case where there are no eyewitnesses. There are eyewitnesses who testified. The testimony of the eyewitnesses is somewhat in conflict. The eyewitness testimony, circumstantial evidence and inferences that could be drawn from that evidence do not present the strongest evidentiary case. However, the Court finds that it raises an issue for the jury to decide. After much consideration, the Court denied a motion for directed verdict and for the same reasons given on the record, the Court denies the Motion for JNOV.

IT IS SO ORDERED.

York, S. C.

December 15, 2014


Lee S. Alford
Presiding Judge
of the Sixteenth Judicial Circuit

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