

STATE OF SOUTH CAROLINA)
COUNTY OF Chesterfield)

IN THE COURT OF COMMON PLEAS
4th JUDICIAL CIRCUIT

CASE NO.: 2014 -CP- 13 - 0574

Cora Jean Nichols)
Plaintiff,)

MOTION AND ORDER INFORMATION
FORM AND COVER SHEET

RECEIVED

vs.)

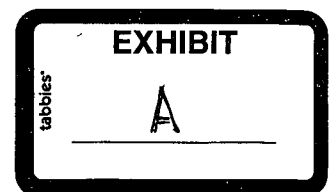
Cardinal Logistics Mgmt +)
Ronnie Clark Defendant.)

True Copy, Attest

JUL 11 2016

SC Court of Appeals

Plaintiff's Attorney: Cockrell Law Firm, PC Address: Barrister Building Olde Towne Centre 159 Main Street Chesterfield, SC 29709 Phone: _____ E-mail: _____	Defendant's Attorney: Address: _____ Phone: _____ E-mail: _____	Bar No _____ FAYE L. SEITZ CLERK OF COURT HESTERFIELD COUNTY, SC
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input checked="" type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)		
SECTION I: Hearing Information		
Nature of Motion: _____		
Estimated Time Needed: _____		Court Reporter Needed: <input type="checkbox"/> YES / <input type="checkbox"/> NO
SECTION II: Motion/Order Type		
<input type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.		
Signature of Attorney for <input checked="" type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant		Date submitted <u>2/6</u> , 20 <u>15</u>
SECTION III: Motion Fee		
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input checked="" type="checkbox"/> EXEMPT: (check reason)		
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC) <input checked="" type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input type="checkbox"/> Other: _____		
JUDGE'S SECTION		JUDGE CODE _____
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____		Date: _____, 20 _____
CLERK'S VERIFICATION		
Collected by: _____		Date Filed: _____, 20 _____
<input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____		



STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHESTERFIELD)
)
 Cora Lea Nichols,)
)
 Plaintiff,)
)
 vs.)
)
 Cardinal Logistics Management)
 Corporation and Ronnie Lee Clark,)
)
 Defendants.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOURTH JUDICIAL CIRCUIT
 2014-CP-13-574

A True ORDER and JUDGMENT
of the Court AGAINST DEFENDANTS
Tracy S. Sellers
 CLERK OF COURT C.P. & G.S.
 CHESTERFIELD COUNTY, SC

2015 FEB 6 PM 3 18
 FAYE L. SELLERS
 CLERK OF COURT
 CHESTERFIELD COUNTY, S.C.

This matter came before me for a hearing on the damages on November, 6, 2014, with the Plaintiff requesting money damages on her injuries she sustained in a traffic accident involving the Defendants. This matter was referred to my office for a damages hearing pursuant to Rule 55 of the South Carolina Rules of Civil Procedure. Plaintiff was present with her Attorney, M. W. Cockrell, III. Counsel for the Defendants, P. Jason Reynolds, was present as well.

This matter concerns causes of action for negligence, negligence per se, and negligent entrustment brought against the Defendants. This action was commenced with the filing of a Summons and Complaint on August 27, 2014 which was served upon both Cardinal Logistics Management and Ronnie Lee Clark as Defendants. Defendants did not, and have not, timely served Answers to Plaintiff's Complaint. Accordingly, an Order of Default Judgment was executed by the Honorable Paul M. Burch and filed with the Chesterfield County Clerk of Court on October 31, 2014. This hearing was scheduled for November 6, 2014, and I find that notice of this hearing and the service thereof is proper.

I further find that the Plaintiff is the "prevailing party" on all causes of action.

A. ACTUAL DAMAGES

Based upon testimony offered by the Plaintiff and Mr. Antonio Hough, I find that Defendant Ronnie Lee Clark was both negligent and negligent *per se* in causing damage to the Plaintiff's person and is liable to the Plaintiff for such damage. I also find that Defendant Cardinal Logistics Management was both negligent and negligent *per se* in causing damage to the Plaintiff's person and is, therefore, both jointly and severally liable for the injuries Plaintiff sustained.

The Plaintiff testified that she has outstanding medical bills at CMC Union in Monroe, North Carolina, Beaver Chiropractic Center in Cheraw, South Carolina, and other related necessary medical expenses in excess of seven thousand dollars (\$7,000.00) as the direct and proximate result of Defendants' negligence. Plaintiff further testified that she has been unable to work for an extensive period of time since the accident. Plaintiff and her father testified, that she was unable to complete her studies at USC Lancaster as a result of her injuries and the treatments necessary for her recovery. The same has resulted in her college graduation being delayed in excess of one (1) full year.

It is clear that the Plaintiff sustained significant injuries, was rendered unable to work as result of this accident, and as a result, has been prevented her from graduating college as scheduled. Plaintiff suffered substantial bodily injuries from this accident, has incurred significant medical bills as a result, has been prevented from engaging in gainful employment and had and her career and educational plans and goals have been delayed in excess of 1 year.

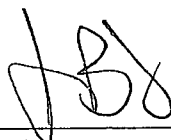
Accordingly, in light of the severity of the injuries Plaintiff sustained, Plaintiff's loss of gainful employment and Plaintiff's delayed and otherwise diminished career and educational

goals, I find that a judgment for the Plaintiff in the amount of two hundred thousand dollars and 0/100 (\$200,000.00) for compensation of lost income, loss of gainful employment and Plaintiff's delayed and otherwise diminished career and educational goals, as well as, for compensation of Plaintiff's medical bills, pain and suffering, loss of enjoyment of life, and mental anguish, is appropriate.

Furthermore, I find that the actions of the Defendants in their operation of a motor carrier in violation of numerous statutory and commonlaw safeguards associated with operation of vehicles of such size and weight warrant an additional award of one hundred thousand and 0/100 (\$100,000.00) in punitive damages to the Plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Court awards judgment, both jointly and severally, for actual damages in the amount of \$200,000.00 against the defaulting Defendants, Cardinal Logistics Management Corporation and Ronnie Lee Clark and judgment, both jointly and severally, for punitive damages in the amount of \$100,000.00 against the defaulting Defendants, Cardinal Logistics Management Corporation and Ronnie Lee Clark; for a total judgment of \$300,000.00 for the Plaintiff.

AND IT IS SO ORDERED!



Franklin B. Joyner, Jr.
Special Referee
Chesterfield County

Cheraw, South Carolina

2-5-, 2015

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHESTERFIELD)
)
Cora Lea Nichols,)
)
Plaintiff,)
)
vs.)
)
Cardinal Logistics Management)
Corporation and Ronnie Lee)
Clark,)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
FOURTH JUDICIAL CIRCUIT
2014-CP-13-574
2014-CP-13-587

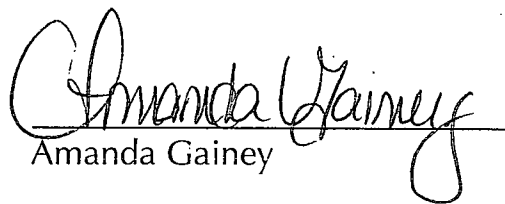
CERTIFICATE OF SERVICE

I, Amanda Gainey, an employee of Cockrell Law Firm PC, do hereby certify that I did send the following documents via United States Mail, by depositing the same in a United States Postal Service mailbox on February 6, 2015:

- Special Referee Order & Judgment Case 2014-CP-13-0574
- Special Referee Order & Judgment Case 2014-CP-13-0587

addressed as follows:

P. Jason Reynolds, Esquire
Sweeney Wingate and Barrow
P.O. Box 12129
Columbia, South Carolina 29211


Amanda Gainey

February 6, 2015
Chesterfield, South Carolina