

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2014CP4005467

Jami Allison Owens
PLAINTIFF(S)

James A Boulware et al
DEFENDANT(S)

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.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- 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:

Defendant's motion for a new trial absolute is Denied. As to the issue of bifurcation, evidence of Defendant's guilty pleas were relevant in the actual damages trial. The Court and the parties agreed that Plaintiff would need to establish Defendant acted in a reckless, willful, or wanton manner in order to get to a punitive damages trial. The Court allowed introduction of Defendant's guilty pleas to a DUI and open container, which are relevant for the jury to consider when determining whether Defendant acted in a reckless, willful, or wanton manner. As to excluding testimony of Defendant's expert, Dr. Barbir, and pursuant to South Carolina Rule of Evidence, 702, Dr. Barbir's testimony failed to meet various reliability thresholds. The Court allowed the parties to proffer her testimony. Dr. Barbir's methodology used a photo with one of the vehicles involved in the car accident and such methodology was not peer reviewed. Further, she did not use the methodology cited in her opinions.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 05/24/2018 .

RECEIVED

JUL 20 2018

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

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Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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Richland Common Pleas

Case Caption: Jami Allison Owens vs Linda Moore , defendant, et al
Case Number: 2014CP4005467
Type: Order/Electronic Form 4

So Ordered

s/DeAndrea Gist Benjamin, #2161

Electronically signed on 2018-05-25 08:31:40 page 3 of 3

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AND IT IS SO ORDERED.

The Honorable DeAndrea G. Benjamin
Presiding Circuit Court Judge
Fifth Judicial Circuit

Columbia, South Carolina

This ____ day of May, 2018.

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Richland Common Pleas

Case Caption: Jami Allison Owens vs Linda Moore , defendant, et al
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Type: Order/Other

So Ordered

s/DeAndrea Gist Benjamin, #2161