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Man gets \$12M for crash injuries

Fayette County jury finds driver liable in rear-end collision

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A Fayette County jury awarded \$12.2 million to a truck driver who injured his back in a car crash on Interstate 70 in southern Illinois.

Jeremy Dutton, then 42, was driving a tractor-trailer eastbound on I-70 near the City of Vandalia on July 30, 2018.

Benjamin M. Ray was driving a pickup truck, owned and operated by Foltz Welding Ltd., headed in the same direction.

Ray rear-ended Dutton's truck. The collision caused Dutton to be jerked back and forth, court documents stated.

According to the plaintiff's attorneys, Dutton felt pain after the crash but declined medical treatment.

He continued to complete his route to Ohio while in

pain, his attorneys said.

About 10 days after the crash, Dutton went to urgent care, complaining of headaches as well as neck and lower back pain. He was prescribed medication and told to seek additional treatment if his condition worsened.

Six days later, he returned to urgent care with neurological symptoms in his arms, described by his attorneys as radiating pain and numbness.

An MRI conducted in October 2018 revealed a cervical syrinx, a fluid-filled sac, in Dutton's spine. He eventually underwent spinal fusion and decompression surgeries.

Dutton's attorneys said he deals with pain every day and cannot work because of his lack of sensation and difficulties with motor function.

Dutton sued Foltz Welding, doing business as Continental Pipeline Services, Inc., for negligence in the 4th Judicial Circuit Court.

Foltz Welding is an Illinois corporation that conducts

business in Vandalia.

The complaint alleged Ray, acting as an agent or employee of Foltz Welding, operated the vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area.

The case went to trial April 22 before 4th Judicial Circuit Court Judge Martin W. Siemer.

The jury returned a verdict in favor of Dutton on Friday.

The award covers compensatory damages including past and future loss of a normal life, pain and suffering, emotional distress, medical expenses, as well as increased risk of future harm and lost earnings.

Dutton is represented by Brian L. Salvi, Rob L. Kohen and Emily T. Art of Salvi, Schostok & Pritchard, P.C.

"We feel like the result shows that even in a conservative venue like this, [a jury] can recognize severe injuries and provide appropriate compensation accordingly," Salvi said.

"The reason this case went to verdict was because the



Brian L. Salvi

insurance carrier just said, 'We don't think you can get a big number from Fayette County,' and we disagreed. We thought the facts would play out for what they are, and we thought our client was somebody that they could connect with. I think we were right about that," he added.

Foltz Welding is represented by Springfield attorney James A. Borland of Quinn Johnston. He could not be immediately reached for comment.

The case is *Jeremy Dutton v. Foltz Welding Ltd.*, No. 2020 L6.