

# Prisoner collects \$670K after van wreck

by David Donovan

Published: October 5th, 2012

Johnny Odom knew he had a long ride in front of him. He was being transported in a privately owned van from a corrections facility in Greenville to one in Colorado. The bus was driving through the night, taking a detour through Florida to pick up other prisoners, during which Odom was handcuffed but not buckled into his seat.

Around 4 a.m., a drunk driver collided head-on with the van, causing it to flip over several times. Odom, unable to help himself because of the handcuffs, was thrown across the van, suffering a broken neck and a spinal cord injury, among other injuries.

Two South Carolina attorneys, Nathan Hughey and Stuart Hudson of Hughey Law Firm in Charleston, recently secured Odom a \$670,000 settlement from the insurers of the prison transport van and the drunk driver.

Odom was one of eight people hurt in the wreck, and the victims wound up splitting a pool of money that was limited to \$2.6 million because of caps on the insurers' liability. Odom got the second largest payout, representing almost a quarter of the cap. The largest share went to a victim who was left a paraplegic by the accident. The two drivers of the cars suffered only minor injuries.

"We were pleased with the settlement," Hudson said. "It was too bad that he couldn't get a full settlement based on the fact that we had to share it with the other passengers, but obviously that's understandable. But he was able to get enough money to move forward and make his life better."

Of the total settlement, \$2.5 million will come from National Continental Insurance Company and Admiral Insurance Company the insurers of PTS of America, the prison transport company. The other \$100,000 will come from State Farm, the insurer of the drunk driver, Charles Glover.

Hudson said that the transport company did not make a concerted effort to deny liability given the number and severity of the injuries and the company's failure to secure the passengers in their seats.

Much of the negotiation occurred between victims over how to divide the limited settlement. Had Odom been the only victim, Hudson said he thought that National and Admiral might have pushed back harder on the amount of the award, or tried to leverage Odom's status as a prisoner. Given the number of injuries, however, the insurers conceded that the policy limits would have to be taken out.

According to the attorneys, Odom incurred over \$230,000 in medical expenses that are still ongoing.

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## Settlement Report

### Personal Injury

**Injuries alleged:** Broken neck, spinal cord injury, lacerated scalp, compression fractures of the cervical spine

**Case name:** Negotiations were concluded before the case reached the litigation stage.

**Location:** Suwanee County, Florida

**Mediator:** Richard Lord of Upchurch, Watson, White and Max in Maitland, Fla.

**Settlement amount:** \$670,000

**Date of settlement:** Aug. 17, 2012

**Attorneys for the plaintiff:** Nathan Hughey and Stuart Hudson of Hughey Law Firm in Charleston