



TAYLOR AND WALKER P.C.

PRESS RELEASE

Taylor & Walker Obtains Dismissal of Traumatic Brain Injury Case

January 5, 2006

Richmond - The Richmond Circuit Court dismissed a traumatic brain injury case brought by a truck driver against Taylor & Walker's client, a brick masonry supply firm, agreeing with Taylor & Walker's attorneys' argument that plaintiff's action was barred by the exclusivity provisions of the Virginia Workers Compensation Act. The truck driver delivered pallets of cultured stone to the supply company and was injured during the unloading of the pallets from her truck. Taylor & Walker attorneys filed a special plea in bar and presented evidence at a hearing that demonstrated that the truck driver participated with supply company personnel in the unloading and was engaged in the trade, business or occupation of the supply company at the time of the accident. The truck driver therefore was a statutory employee of the brick masonry supply company and was precluded by the Workers Compensation Act from maintaining a negligence action against the company.

Taylor & Walker was retained to represent the supply company only three weeks before the scheduled trial. Plaintiff's counsel is a nationally recognized traumatic brain injury specialist who handles brain injury cases exclusively. Plaintiff sought 40 million dollars in damages in the case. Given the short time frame and the magnitude of the claim, Taylor & Walker's traumatic brain injury practice group assigned a team of attorneys to the case including James E. Brydges, Jr., Henry M. Massie, Jr., James C. McCaa, III, Mark B. Kilduff, Kevin D. Sharp, and David L. Littel. Their work, as well as the work of others in the firm, was responsible for the successful result for the client.

Taylor & Walker attorneys represent businesses and individuals in complex and major case personal injury cases in Federal and State Courts throughout Virginia.

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