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# **\$4.3M Settles Fatal Wreck Case Before Suit Is Filed**

Greg Land, Daily Report

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The fiancé and son of a young woman killed in an accident involving four cars and two drunken drivers have settled pre-suit claims for more than \$4.3 million.

The chain reaction that took the life of 23-year-old Adrianna Barron began when a drunken driver hit the Interstate 75/85 retaining wall and careened across five lanes of traffic shortly before 1 a.m. on July 20, 2013. According to an Atlanta police report, Jeremy Crawley's 2010 Jeep stopped perpendicular to the highway. Three cars following behind were able to stop, but a fourth, a 2004 Volvo driven by Hollis Floyd, slammed into the last car in the line, knocking it into the car ahead, which hit the first car to stop.

The driver of the last car in line, Carlos Ashley, was injured in the wreck and taken to Grady Memorial Hospital. His fiancé, Barron, died at the scene.

Crawley, 36, told an officer his back hurt a little bit but that he was OK. The police report said he smelled heavily of alcohol and failed repeatedly to blow into the portable breath tester when instructed to do so by the officer. He was arrested and taken to jail, where a warrant for his blood was obtained. He was charged with DUI, first-degree homicide by vehicle and improper lane change.

Floyd, the driver of the fourth car, had minor cuts and an airbag burn on her arm, and said that her glasses had been broken in the wreck, according to the report. She, too, smelled heavily of alcohol, and told an officer that she took medications for attention deficit hyperactivity disorder and depression. Floyd blew a .079 on the breath test—one one-hundredth below the legal limit. She refused a chemical test, and was arrested and taken to the jail, where her blood was drawn. She was charged with DUI, first-degree vehicular homicide and following too closely.

The drivers of the other two cars were not injured, the report said.

Evan Kaine was initially retained to represent Ashley, Barron's estate and the interests of their 2-year-old son.

Ashley, said Kaine, had suffered a fractured forearm that needed surgery.

"In any normal case that's a significant injury by itself," he said. A spinal surgeon determined

that Barron died from an occipital dislocation at the base of the skull.

"She was essentially beheaded internally," said Kaine. "Some medical research indicated that she would have had a cognitive awareness of her death. We included that in the case. It was important for the defense to understand that."

On the night of the accident Ashley and Barron were returning to their Henry County home after a trip to Atlanta, where they had attended a premarital counseling appointment and gone to the Vortex for dinner.

Kaine said he decided to try to resolve his clients' claims before filing suit. The case was tricky, he said, because the defense for Crawley would point the finger at Floyd, whose car actually hit the car Barron was in. Floyd's defense counsel, in turn, could try to point to Crawley as having started the chain of events.

"Because there was no contact with Crawley's car, we made the 'but for' argument to his insurer: But for him being drunk and having a single-car accident, none of this ever would have happened."

Crawley's insurer, Esurance, tendered his combined policy limits of \$75,000, Kaine said. Ashley and Barron's Progressive policy paid \$50,000.

Floyd's primary insurance carrier, State Farm, paid \$200,000, Kaine said. Floyd also qualified for a \$5 million umbrella policy under her parents' State Farm policy, he said.

"After a few rounds of negotiations over many months, we ended up settling for \$4 million of the \$5 million policy," he said.

"We had to jump through some hoops with the umbrella policy," he said. "Because of the single aggregate limit in the umbrella, I had a conflict representing the dad and the son, so I brought in an administrator to handle the claims of the Adrianna Barron estate, then brought in a conservator to handle the child's claims."

In the end, the total settlement came to \$4,325,000, said Kaine.

The attorney for State Farm, Trevor Hiestand of Waldon Adelman Castilla Hiestand & Prout, did not respond to a request for comment, but Kaine said he praised his handling of the case.

"He did a very good job," Kaine said. "I think everyone made the right decision. I was glad to be able to help; these are the cases where you can really make a difference."

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