

Motorcycle crash permanently injures professional marine captain

Uninsured motorist insurance was key to \$1.2 million settlement

On February 13, 2015, about 1:00 PM, Jane Smith (not her real name) rode a friend's motorcycle northbound on Douglas Road in Coconut Grove, Florida. It was a sunny, pleasant south Florida day. Jane was an experienced motorcyclist and an accomplished yacht captain. She held a U. S. Coast Guard Master's license, and was a founding partner and co-owner of a successful yacht charter company. Jane was on her way to the Miami Boat Show for a scheduled meeting with a client.

As Jane rode north on Douglas, a Volkswagen sedan suddenly pulled out from a side street and turned in front of her. Jane crashed into the driver's side of the sedan and was violently thrown into the air, flipping over the sedan and onto the road. She was transported by ambulance to Mercy Hospital, and later moved to Jackson Memorial's Ryder Trauma Center. Jane suffered multiple fractures to her pelvis, a fractured left fibula, and multiple fractures of her right ankle. Thankfully, she was wearing a helmet at the time of the crash and suffered no head injuries or trauma to the brain. Her ankle required open reduction surgery and placement of rods and screws in her leg. Jane's condition improved steadily due to her medical care, physical therapy, and her overall excellent health. She was, however, left with chronic pain and significant physical limitation due to the injuries. At 50 years of age, Jane had been independent and capable. Now she required constant care and assistance with the most basic needs at home. Shortly after returning home, she contacted SDSBS attorney **D. J. Ward** and asked him to represent her in an effort to find accountability for the accident.

As a yacht captain, Jane was ultimately responsible for everything and everyone aboard the vessel she commanded. This required not just knowledge, skills, and experience, but considerable physical demands including climbing up and down ships' ladders; navigating tight quarters such as engine compartments; and handling lines, fenders, and other equipment. Unable to work – even unable to board a yacht at this point – Jane's career as a yacht captain, now and for the future, was in serious doubt. Although the driver of the sedan had minimal insurance coverage, the owner of the motorcycle had wisely procured significant uninsured motorist coverage for just such situations. Six months after the crash occurred, Mr. Ward was able to resolve Jane's case for the total available policy limits of \$1,270,000. With this support, Jane continues to make an excellent recovery from her injuries. The case is a reminder of the importance of uninsured motorist insurance coverage. ♦



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