

## PHILLIP STANFIELD AND JEREMY JOHNSON OBTAIN DEFENSE VERDICT IN \$20-MILLION WRONGFUL DEATH CASE

October 22, 2013 | Case Summaries



*Aguilar v. Werner Enterprises, Inc.* – JSH trucking and transportation defense

attorneys [Phillip Stanfield](#) and [Jeremy Johnson](#) obtained a defense verdict on behalf of Werner Enterprises in a highly-contested wrongful death case in federal court.

The decedent's Honda Accord suffered a front-passenger tire failure at approximately 8:00 PM on eastbound Interstate 10 in Phoenix, Arizona. She brought the car to a stop in the #3 travel lane of the freeway, then engaged the parking brake and called her husband to inform him of the car problems. Werner's tractor-trailer collided into the stopped car about a minute and a half after the car came to a rest, killing the driver.

At trial, Defense presented evidence showing that the decedent drove on the flat tire for at least one full mile before bringing the car to a stop. The Defense also argued that the decedent failed to drive the car off the highway (there was available shoulder along the road and she passed at least one freeway exit), which was the true cause of the accident. Plaintiff argued the tractor-trailer driver was at fault due to lack of attention and failure to avoid a stranded motorist.

In closing argument, Plaintiff asked the jury to award \$20 million or more in compensatory damages. After a four-day trial, the jury deliberated for approximately three hours before returning a defense verdict.

[Phil Stanfield](#) focuses his practice on transportation defense, professional liability, product liability, and defending insureds covered by general liability policies.

[Jeremy Johnson](#) concentrates his practice on the defense of clients in the areas of trucking and transportation, wrongful death and personal injury, product liability, and premises liability.