

■ \$461,000 SETTLEMENT

Greene County accident results in settlement

Driver, 18, struck couple's car in 2009 crash

MOTOR VEHICLE COLLISION

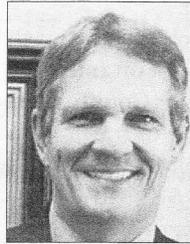
- **Venue:** Dade County Circuit Court
- **Date:** Oct. 31, 2012
- **Special Damages:** \$60,000, Randall Gaynor medical costs; \$42,000, Barbara Gaynor medical costs
- **Insurer:** State Farm Insurance (for Buck); Liberty Mutual Insurance (for the Gaynors)
- **Injury detailed description:** hip injury (Randall Gaynor); severe frontal lobe trauma (Barbara Gaynor)
- **First settlement demand:** \$500,000
- **First settlement offer:** \$300,000 from State Farm (policy limits); \$20,000 from Liberty Mutual
- **Caption:** Randall and Barbara Gaynor vs. Ashlee Buck
- **Plaintiff's attorney:** Stephen F. Aton, Springfield
- **Defendant's attorney:** None

BY ALAN SCHER ZAGIER

Special to Missouri Lawyers Weekly

A southwest Missouri couple has settled a motor-vehicle injury claim for \$461,000 after their car was struck by an 18-year-old driver in a 2009 accident.

Randall and Barbara Gaynor of Ash Grove received \$300,000 from State Farm, the teen driver's insurance company, and \$161,000 from their own underinsured motorists' policy with Liberty Mutual, said plaintiff's attorney Stephen Aton of Springfield.



Stephen Aton

According to a Missouri Highway Patrol report, Randall Gaynor was driving a 1994 Ford Ranger on eastbound U.S. Highway 160 in Greene County the morning of Dec. 31, 2009, with his wife as a passenger when they were hit by a westbound 1995 Pontiac Grand Prix driven by Ashlee Buck of Nixa.

"The other driver simply pulled out into the road from the shoulder and made an unexpected U-turn in front of my clients," Aton said. Three witnesses confirmed that account to the highway patrol.

Randall Gaynor, who was 53 at the time, injured his left hip and later needed a total hip replacement, his lawyer said. His 55-year-old wife suffered a frontal lobe injury and continues to have short-term memory loss, Aton said.

After an initial offer of \$20,000 from Liberty Mutual, the Gaynors received a final settlement more than eight times that amount from their insurer on Oct. 31.

Buck was not represented by an attorney. Adjusters for both State Farm and Liberty Mutual did not respond to requests for comment. **MC**