

**\$2.2 Million Settlement
Obtained for Tractor-Trailer
Driver Injured in Collision** 1

Accolades: David Cain inducted into the International Society of Barristers. Robert Mitchell elected to the American Board of Trial Advocates (ABOTA). 2

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Our client's life was forever altered when a logging truck and trailer pulled across U.S. Hwy 43 in Calvert, Alabama in front of him in the dark. The logging trailer did not have the required conspicuity markings and trailer lighting. Our client, traveling at 65 mph, was unable to see the logging trailer that was blocking both travel lanes until moments before impact.



The collision destroyed the log trailer and caused our client's 18-wheeler to roll on its side and careen down the divided highway median. Our client was transported to the closest Level 1 trauma center where he was diagnosed with a broken neck and a central spinal cord injury. He then underwent multiple complex surgeries, including having his neck fused together at multiple levels.

Cunningham Bounds was hired the day after the crash and immediately began an extensive investigation. "As a result of our prompt response, we were able to obtain critical evidence, including downloading surveillance video from a nearby gas station that showed the crash. The surveillance video was set to record over itself shortly after it was obtained. If our team had not acted so swiftly, the evidence would have been lost forever," said Brian Duncan of Cunningham Bounds who represented the client.

During the investigation, Cunningham Bounds learned the driver of the logging truck had over 40 previous traffic citations and his commercial motor vehicle license had been revoked multiple times. Cunningham Bounds further learned that the logging company that had hired the defendant driver had failed to investigate its employee's driving history or provide him any type of training.

A \$2.2 million settlement, which represented the full policy limits of the available insurance, was obtained for our client in

this case. Because we were able to begin our investigation immediately, valuable evidence was available and preserved – helping us achieve the best possible result for our client.

Founded in 1958, Cunningham Bounds has been representing plaintiffs for over 60 years. We have a long and successful history of helping people who have been injured or harmed by the wrongdoing of others. Our firm was born out of the desire to create change and improve lives. We thoroughly prepare each case. We leave no stone unturned, no evidence untouched, and no detail unexamined. This precision and focus ensures that we present each client's very best case to the jury. Today, our goal remains as it was in 1958 - to achieve the best possible result for each client by holding people and companies accountable for their wrongdoing.



Accolades



David Cain was recently inducted into the [International Society of Barristers](#). Membership is by invitation only after a rigorous screening process that considers a lawyer's ability, experience, accomplishments and ethical standards as assessed by trial lawyers and judges.



Robert Mitchell has been elected to the [American Board of Trial Advocates \(ABOTA\)](#). ABOTA is an invitation-only national association of experienced trial lawyers and judges. Its members are dedicated to the preservation and promotion of the civil jury trial right provided by the Seventh Amendment to the U.S. Constitution.

Lawdragon recently published its 2020 guide to the [500 Leading Plaintiff Consumer Lawyers](#) and Cunningham Bounds was represented by seven of its partners: **Buddy Brown, Greg Breedlove, David Wirtes, Toby Brown, Skip Finkbohner, David Cain, and Lucy Tufts**. Lawdragon determines which attorneys are in the guide based on a combination of independent legal research, data about courtroom victories, combined with client and peer nominations to determine the top 500 attorneys. Each attorney selected to the Lawdragon list must have outstanding achievements within their field. For plaintiff litigators, that means winning significant verdicts and settlements for injury victims and consumers.



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Eye Damage Linked to Prescription Drug for Bladder Pain



Cunningham Bounds is currently investigating potential lawsuits on behalf of individuals who have taken Elmiron® and experienced eye damage. Elmiron® (also known as “pentosan polysulfate sodium” or “PPS”) is a prescription medication and is the only FDA approved oral drug used to treat bladder pain or discomfort associated with interstitial cystitis (“IC”).



Exactly what does this mean?

Recent studies show that using Elmiron® may damage the retina, leading to “vision threatening toxicity.” Its use may cause irreparable damage in the macula – the retina’s central area that delivers clear, crisp central vision – leading to irreversible vision loss and even blindness.

Signs Elmiron® may have caused eye damage include:

- Difficulty reading
- Difficulty adapting to dim lighting
- Blurred vision (often in the central field of vision)
- Dark spots in the center of vision
- Straight lines appearing curved or squiggly
- Less vivid colors

According to the American Academy of Ophthalmology, the damage caused by the drug masquerades as age-related macular degeneration or pattern dystrophy, making diagnosis difficult. Researchers only recently made the connection between Elmiron® and its danger to the retina.

Who is at risk?

Anyone who has taken, or is taking, Elmiron® is at risk of eye damage. In June 2020, manufacturers added a label to Elmiron® prescriptions warning of potential eye damage.



What should I do?

For more information, visit our website at www.cunninghambounds.com, call us at **251.471.6191** or toll free at **251.472.6191**. We will evaluate your potential case **free of charge**.



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The following language is required by Alabama Rules of Professional Conduct:

"No representation is made that the quality of the legal services to be performed is greater than the quality of legal services performed by other lawyers."

Our Team Continues Working Non-Stop: We are Open!

During the coronavirus pandemic, "open" has a different meaning these days depending upon the business or organization. At Cunningham Bounds, "open" means our work has not stopped. Our attorneys and staff are fortunate to have state-of-the-art resources available, and we are:

- Set up to work remotely for the safety of our staff and clients;
- Offering consultations for prospective clients via phone, email or videoconferencing;
- Continuing to work with our current clients to keep their cases moving forward;
- Conducting depositions and mediations via videoconferencing;

- Preparing for upcoming jury trials;
- Incorporating the enhanced technology that will be needed in court; and
- Utilizing additional safety measures for all in-person meetings, including limiting the number of attendees, wearing masks, distancing, and more.

Our cases are moving forward and we are vigorously preparing for a number of trials that are scheduled for later this year. Even though we are working differently, we are open and here for you if you need us!

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