

# PRESS RELEASE

## **March 31, 2023 - Wenholz | Dow obtains \$5,646,000.00 verdict for injured driver against trucking company.**

Austin, Texas - On March 31, 2023 a Travis County jury awarded Wenholz | Dow, PC client James Combs a \$5,646,000.00 verdict for his serious personal injuries sustained in a rear end accident with an 18 wheeler. The case was styled CAUSE NO. C-1-CV-16-009841; *JAMES COMBS, Plaintiff, vs. JOLENA AGNES NUSSELL, MARTEN TRANSPORT LTD., and MICHAEL ANDREW ESCAMILLA*, Defendants; filed in the Travis County Court at Law No. 1. Judge Todd Wong presided over the trial that lasted five days.

The Plaintiff alleged that he suffered permanent, painful neck injuries as a result of the collision. The defense argued that Mr. Combs was injured as a result of a second wreck that happened twenty days later, suffered from pre-existing degenerative neck disease unrelated to the accident and challenged causation. The Plaintiff countered with testimony from a leading biomechanical expert regarding the relative force of the two collisions, a vocational expert analyzing Mr. Combs loss of earning capacity, his treating doctor, his surgeon and a life care planner concerning future medical expenses for Mr. Combs. Additionally, Plaintiff discovered that the truck driver, Ms. Nussell, violated various driving standards and was unrepentant about causing the collision.

“The jury’s award is a clear message to trucking companies that drive through Austin to be careful. The relative weight and size advantage trucks enjoy does not give them the right to bully fellow drivers on our roads. If they hurt and injure other drivers, our citizens will hold them accountable.” Plaintiffs’ counsel Luke Dow advised. “This case and its result hopefully will lead to safer truck driving in Travis County.” Co-counsel Jack Holtzman added. “This was a team effort, we along with our co-counsel Deborah Hensley, want to thank the jury for carefully listening to the evidence and sending a strong message to trucking companies,” Mr. Dow concluded.

For additional details about the case, please call or email Jack Holtzman at [jholtzman@wenholzdow.com](mailto:jholtzman@wenholzdow.com).