

## **\$3 MILLION TRUCKING SETTLEMENT SECURED AFTER STRATEGIC LEGAL BATTLE**

### ***Turning the Tables: Fighting Back Against Corporate Delay Tactics and Turning Obstacles Into Opportunities***

**ATLANTA (July 7, 2025)** – We recently secured a \$3,006,622.33 settlement on behalf of Jose “Joe” Garcia, an independent contractor truck driver who sustained serious injuries when a tree was negligently felled across I-85 in Banks County, Georgia. The case was led by attorney Warner Hornsby, whose strategic litigation approach turned a complex and delayed case into a life-changing victory for the client.

The incident occurred when Southern Clearing & Grinding, Inc. dropped a tree directly onto Mr. Garcia’s truck. Despite the severity of the event, the company refused to accept responsibility, and its owner repeatedly misled the court during a recorded deposition. Hornsby leveraged this testimony in a powerful 2.5-hour cross-examination video that captivated the jury and exposed the defendant’s dishonesty.

Mr. Garcia’s injuries were initially misdiagnosed, delaying proper treatment for over three years. It wasn’t until a neurosurgeon ordered an MRI with contrast that a labral tear was discovered, finally explaining the persistent pain that had disrupted his life and livelihood.

The defense, backed by only a \$1 million insurance policy, declined a pre-trial settlement offer and instead mounted a full-scale challenge, including hiring two medical experts to dispute causation. The case faced repeated delays, including two bankruptcy filings by the defendant—one just a week before trial. But Warner and his team turned these obstacles into opportunities.

By arguing that the second bankruptcy nullified a prior consent order limiting recovery to insurance, Warner successfully reopened the door to a bad faith claim. This pivotal legal maneuver ultimately enabled the team to pursue the full judgment amount.

The jury returned a \$2.51 million verdict, which the defense appealed. After losing their appeals, the defense agreed to pay over three times their policy limit, totaling over \$3 million.

“This case was about more than compensation—it was about accountability,” said Warner Hornsby. “Joe endured years of pain and uncertainty. Today, he has the financial security to get the surgery he needs and the peace of mind that justice was served.”

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