

\$2M settlement for writer hurt by drunken driver

By: Phillip Bantz ◉ April 25, 2018

A crash involving a drunken driver on Interstate 95 in Jasper County has resulted in a \$2 million settlement for a South Carolina-based self-help writer.

Douglas Mincey, 57, of Bluffton had slowed for traffic on I-95 in March 2016, when another vehicle hit the back of his car, according to his attorneys, Kenneth Berger of Columbia and David Yarborough and David Lail of Yarborough Applegate in Charleston.

Berger said in an interview that the other driver, Eric Akers, had been drinking and driving while travelling up I-95 from Florida. A rear-facing dashcam in a police car recorded Akers fading in and out of consciousness and asking the officer where he was after the crash, according to Berger.

"The video was so good that we didn't need his deposition," Berger said.

Mincey said Akers had offered to pay him if he didn't call the police after the crash, and then Akers stumbled and almost fell into Mincey's arms, according to Berger.

He said Akers, who had prior arrests for drunken driving, later pleaded guilty to DUI.

Mincey, a retired engineer who served in the military and put himself through college after his parents died, had been working on an inspirational book for boys, "A Guy's Guide to Being Great," the publication of which was delayed for about a year as a result of the crash.

Mincey's wife, Rhonda, author of "A Girl's Guide to Being Great," created a nonprofit group that helps empowers girls and the Jasper County school district has incorporated some of her work into its curriculum, according to Berger.

"We were probably going to have jurors who benefitted from Doug and his wife's nonprofit work," he said.

Yarborough

Mincey sustained a lower back injury that required several surgeries, Berger said. He added that Mincey also hit his head on the steering wheel during the crash and had concussive symptoms. His medical bills totalled about

\$400,000.

Mincey's underinsured motorist carrier, USAA, agreed to pay \$2 million to settle the case prior to trial, Berger said.

"Had they not chosen to pay the \$2 million when they did, they would've been forced to pay more based on an excess verdict," he added.

Follow Phillip Bantz on Twitter @SCLWBantz



Berger

SETTLEMENT REPORT – NEGLIGENCE

Amount: \$2 million

Injuries alleged: Back injury, concussive symptoms

Case name: *Douglas Mincey v. Eric Akers*

Court: Jasper County Circuit Court

Case No.: 2017-CP-27-00101

Mediator: Blaney Coskrey of Columbia

Judge: Settlement reached before case placed on jury roster

Date of settlement: April 6

Attorneys for plaintiff: Kenneth Berger of Columbia and David Yarborough and David Lail of Yarborough Applegate in Charleston

Attorney for defendant: Ronald Diegel of Murphy & Grantland in Columbia for the underinsured motorist carrier

Related

Brain injury case settles for \$472K
February 10, 2015
In "Verdicts & Settlements"

\$500K settlement for pair injured in drunk
driving crash
July 11, 2014
In "Verdicts & Settlements"

Day care hanging incident spurs \$1M
settlement
May 3, 2016
In "Verdicts & Settlements"

Copyright © 2018 South Carolina Lawyers Weekly

130 N. McDowell Street, Ste. B,

Charlotte, NC 28204

(800) 876-5297

