

Jury awards \$850K over football player's concussions

■ BY DAVID BAUGHER



Evans



Moore



Lawrence

A Horry County jury has awarded \$850,000 in damages against a school district after a student football player was diagnosed with post-concussive syndrome.

Scott C. Evans and James B. Moore III of the Evans Moore Law Firm in Georgetown and Amy Lawrence of the Lovely Law Firm in Myrtle Beach represented the student, Logan Wood. The case stems from an incident in 2016 in which Wood, then a 14-year-old student at North Myrtle Beach Middle School, played a B-team game at a local high school.

“Our allegation was that our client sustained a concussion and then was allowed to stay in for the remainder of the game which resulted in him getting additional concussions, which of course makes it considerably more dangerous,” Evans said.

Evans said that doctors estimated that Wood sustained at least two concussions but may have received as many as seven. Those injuries could have a long-lasting impact on his client's future, including creating difficulties with “executive function,” problem solving and time management due to a frontal lobe injury.

“His dream was to be an officer in the armed services,” Evans said. “He wanted to go to Clemson and go into the ROTC program to become an officer in the armed forces but now he is disqualified for military service.”

An expert for the plaintiff testified that another \$110,000 of medical expenses were possible, while the school's expert said no more care was needed.

Lawrence said that there were two injuries to other players during the game, including a broken bone and a concussion. She said that coaches weren't properly trained on concussion protocols and post-concussion syndrome, and the jury followed the evidence.

“We had a jury full of really smart, bright people concerned for our kids,” Lawrence said. “I think when the jury spoke, they wanted [others] to know that what Horry County was doing was not okay and that, if this was their standard, they needed to raise it.”

Although a trainer was on-scene for the opposing team, Evans contended that each side should have had their own trainer, which he said was standard for older students.

“That's also the practice of at least half of the school districts in the state for the eighth graders,” Evans said.

Joseph McLean of Clarke, Johnson, Peterson & McLean in Florence represented the school district. McLean declined comment on the case, but Evans said the school argued that the trainer, who was an employee of the Horry County school district to which both schools belonged, was there to assist players on either team. Evans contended that video evidence from the game showed that the trainer wasn't doing enough to assess the condition of students, however.

Evans said that the defense also contended that Wood didn't exhibit any signs or symptoms of injury until after the game, so there was no reason to remove him, and that previous injuries may have been responsible for his symptoms.

Evans said jurors afterward told him that video of the trainer during the game was a key component of their decision.

“That was one thing that stood out to them,” he said.

The jury returned its verdict on April 15 after a three-day trial. Evans said the defense has made post-trial motions in the case.

VERDICT REPORT – NEGLIGENCE

Amount: \$850,000

Injuries alleged: Post-concussion syndrome

Case name: Sarah Wood, plaintiff, et al. v. Horry County School District

Court: Horry County Circuit Court

Case No.: 2017-CP-26-06643

Judge: William H. Seals Jr.

Date of verdict: April 15

Attorneys for plaintiff: Scott C. Evans and James B. Moore III of the Evans Moore Law Firm in Georgetown and Amy Lawrence of the Lovely Law Firm in Myrtle Beach

Attorney for defendant: Joseph McLean of Clarke, Johnson, Peterson & McLean in Florence