

The 2010 Combined Verdict Summary

In 2010, the TJVR reported on 269 verdicts from all over Tennessee as opposed to 252 last year, 270 in 2008, 285 in 2007 and 301 in 2006. That number was 426 in 2005; however that total included verdicts from the fall of 2004 when the TJVR began publishing. This report summarizes the overall statewide results by case type.

<u>Case Type</u>	<u>Total Cases</u>	<u>Win-Loss/Percentage</u>	<u>Aggregate Awards</u>	<u>Average Plaintiff</u>	<u>Average Verdict</u>	
Auto Negligence						
2010	129	93-36	72.1%	\$14,188,701	\$152,566	\$109,989
**2010 Adjusted Less Largest Results, Case No. 1530 - \$7,234,787						
				\$6,953,914	\$75,586	\$54,327
2009	130	93-37	71.5%	\$5,631,355	\$60,552	\$43,318
2008	135	102-33	75.5%	\$15,408,656	\$151,065	\$114,138
2007	159	110-49	69.1%	\$5,209,970	\$47,363	\$32,767
2006	166	112-54	67.5%	\$7,413,930	\$66,195	\$44,662
2005	238	169-69	71.0%	\$11,995,407	\$70,978	\$50,400
6-Year Combined	957	679-278	70.9%	\$59,848,019	\$88,141	\$62,537
<i>6-Year Adjusted Averages Less the 22 Largest Verdicts (All Exceeding \$499,000)</i>				\$24,490,540	\$37,376	\$26,193

Notes:

- (1) The 278 defense verdicts are further broken down as follows: Defense verdict on liability or causation - 200, Defense verdict on comparative fault - 78.
- (2) These totals represent less than 957 actual jury presentations. In several cases, there was one or more claimants. For statistical purposes, we have treated each plaintiff (but not segregating individual loss of consortium totals) as a separate trial.
- (3) In looking at the six-year adjusted averages, less the largest results, there are several interesting observations. First note that those 22 plaintiffs (in the largest cases) represented just 2.2% of the car wreck sample. However their awards, \$35,357,479, accounted for 59.1% of all car wreck verdict awards. In more simpler terms, just 2% of car wreck plaintiffs took 60% of the awards. Stretching that analysis a little further, in the six-year period, there were 86 plaintiffs that took \$100,000 or more, their verdicts totaling \$48,658,478. That is, 8.9% of the plaintiffs (those with \$100,000 or more) took 81.3% of all car wreck awards.
- (4) On the flip side, while a small number of plaintiffs took the lion's share, many more plaintiffs took much less. 281 plaintiffs that prevailed took \$10,000 or less, their awards totaling just \$1,431,945. Thus the converse of (3) above is follows: 29.3% of the plaintiffs in these cases, those at the bottom, only took 2.3% of the awards. Looking side by side, the top 10% took nearly 80% of the awards. The bottom 30% took just 3%. If car wreck litigation is in fact a lottery in Tennessee, that notion sometimes being suggested by defense lawyers in jury trial or by others interested in civil jury verdict results, only a small number of plaintiffs are holding winning tickets.