

THE THURSDAY 10.1.2009

TAMPA TRIBUNE

and The Tampa Times

Jury awards \$330 million in drunken driving case

Dead teen's mother hopes
judgment sends a message.

By TOM BRENNAN
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BROOKSVILLE » It took a Hernando County jury slightly more than an hour to award a mother who had lost her daughter to a drunk driver \$330 million.

The all-woman panel awarded Angela Stone \$55 million in compensatory damages and \$275 million in punitive damages in the April 12, 2007, death of her 13-year-old daughter, Shelby Taylor Hagman.

Shelby was riding in her grand-

parents' Kia Sedona van when Christopher S. Marcone ran a stop sign at the intersection of Park Ridge Road and Sherman Hills Boulevard, just north of State Road 50.

Marcone pleaded guilty to DUI manslaughter and three related charges. In March 2008, a judge sentenced him to one year in prison for every year of Shelby's life.

Steve Yerrid, Stone's attorney, doubts his client will collect all of the money. But he said that wasn't the reason she sued Marcone and his insurance company.

"Our goals were to see if others could appreciate the enormity of

her loss and to do everything in their power to keep this from happening to other families and other mothers," he said.

It is thought to be among the largest DUI wrongful death awards in the nation.

Stone has also sued Kia, the van's manufacturer, claiming the seatbelts were defective. Shelby was wearing her seatbelt at the time of the crash. That case is still pending.

Shelby was flown to Tampa General Hospital after the crash with significant head injuries. Her family withdrew life support the next day after being told there was no chance for recovery.

Yerrid said the large verdict should send a message that drunk driving won't be tolerated.

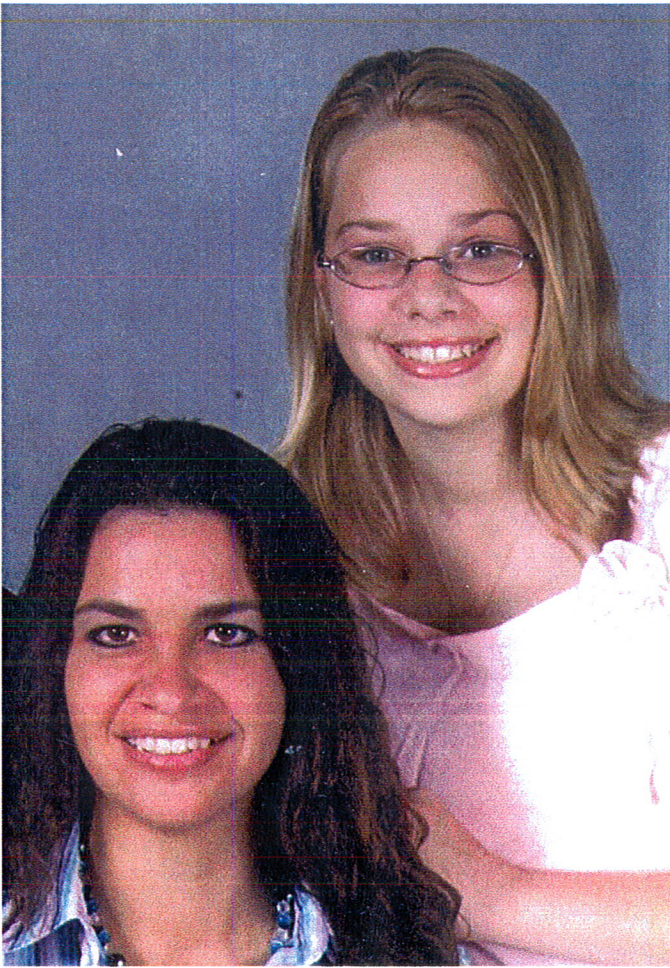
"You can't give back what was lost," he said. "But some measure of good has been done with the potential saving of lives."

"A consensus of the community is that the safety of our people and families will be enforced by juries," Yerrid said.

Yerrid also said it should send a message to Kia.

"We wanted to let the seat belt manufacturer know that this was a huge loss," he said.

Reporter Tom Brennan can be reached at (813) 259-7698.



IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR HERNANDO COUNTY, FLORIDA
CIVIL DIVISION

ANGELA L. STONE, as personal representative of
the estate of Shelby Taylor Hagman, deceased,

Plaintiff,

Case No: 08-0061

vs.

CHRISTOPHER S. MARCONE,

Defendant.

_____ /

VERDICT FORM

We, the jury, return the following verdict:

1. Was there negligence on the part of Christopher S. Marccone which was a legal cause of the death of Shelby Taylor Hagman?

YES X

NO _____

DAMAGES OF THE ESTATE OF SHELBY TAYLOR HAGMAN

2. What is the amount of medical expenses resulting from Shelby Taylor Hagman's injury and death charged to the estate?

\$ 79,550.62

3. What is the amount of funeral expenses resulting from Shelby Taylor Hagman's death paid by someone other than a survivor?

\$ 6,529.90

FILED IN OPEN COURT
DATE 9/30/09
KAREN NICOLAI

Clerk of Circuit Court
By [Signature] D.C.

Please answer question 4.

DAMAGES OF ANGELA L. STONE

4. What is the amount of any damages sustained by ANGELA L. STONE in pain and suffering as a result of the injury and death of Shelby Taylor Hagman?

a. in the past? \$ 5,000,000.⁰⁰
b. in the future? \$ 50,000,000.⁸⁰

TOTAL COMPENSATORY DAMAGES
(add lines 2, 3, 4a and 4b)

\$ 55,086,080.⁵²

PUNITIVE DAMAGES

5. Under the circumstances of this case, state whether you find that punitive damages are warranted against Christopher S. Marcone?

YES X

NO _____

Please answer question 6.

6. What is the total amount of punitive damages, if any, to be assessed against Christopher S. Marcone as punishment and as a deterrent to others? If you elect not to assess punitive damages you should enter a zero (0) as the amount of damages.

\$ 275,430,402.⁶⁰

SO SAY WE ALL, this 30th day of September, 2009.

Christine Donley
Foreperson
CHRISTINE DONLEY