

# Missouri Lawyers

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## WEEKLY

## Passenger settles case over auto accident

*Case involved phantom driver, disfiguring injuries*



**Craig Anthony Schlappizzi**

A vehicle passenger whose face was disfigured in an accident reached a settlement of \$575,000, including uninsured motorist coverage for a phantom driver.

Dena Campbell was riding in a car driven by Jane Nothdurft. They were driving from southeast Missouri to visit a water theme park in Illinois on Aug. 11, 2007.

They were traveling in an Oldsmobile Bravada on Highway C in the right, eastbound lane when Nothdurft began to pass a green pickup truck in front of them.

She already had twice started to pass the pickup, but each time it veered into the passing lane, causing her to retreat, explained Campbell's attorney, Craig Schlappizzi. On the third try, the pickup be-

gan moving toward the passing lane, causing Nothdurft to overreact and drive into the grass median, the lawyer said. She then attempted to return to the eastbound lanes, but the vehicle overturned and slid several feet, coming to rest on its roof.

The plaintiff never identified the pickup truck or its driver.

"There was never any contact made between the two cars, but three people testified as to what the green truck was doing," he said.

Campbell suffered a severe degloving, or tearing, of the scalp and other injuries. The resulting facial and head disfigurement is still being addressed by a plastic surgeon, said Schlappizzi, of Donald L. Schlappizzi P.C. in St. Louis. Her medical bills so far have

totaled \$180,000.

Campbell's daughter was riding in the back seat and was hurt, but her injuries were not as severe, he said.

The plaintiff carried a \$50,000 uninsured motorist policy with Allstate Insurance Co. and the driver carried \$25,000 in uninsured motorist coverage with Farm Bureau Insurance Co. The host driver's liability coverage was \$500,000, of which \$5,000 was paid to Campbell's daughter.

The driver's carrier paid its liability limits and each insurer paid the limits of the uninsured motorist coverage, Schlappizzi said.

Nothdurft's attorney, Matthew Mocherman, couldn't be reached for comment. William Thomas, representing Farm Bureau, confirmed the figures.

### ■ \$575,000 Settlement

#### MOTOR VEHICLE COLLISION

■ **Court:** Mississippi County Circuit Court

■ **Case Number/Date:** 10MI-CV00305, 3/17/2011

■ **Special Damages:** \$180,000 in medical bills

■ **Insurer:** Farm Bureau Insurance (Defendant Nothdurft); Allstate Insurance (Plaintiff Campbell)

■ **Caption:** Dena Campbell v. Allstate Insurance Co., Farm Bureau Insurance Co., Jane Nothdurft

■ **Plaintiffs' Attorneys:** Craig Anthony Schlappizzi, The Schlappizzi Law Firm (St. Louis, Missouri)

■ **Defendants' Attorney:** William Thomas, Pitzer Snodgrass (St. Louis, Missouri)