

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

KATHERINE DAVIS,
Guardian for Carla Lewis

PLAINTIFF

v.

No. 4:13-cv-589-DPM

OLD DOMINION FREIGHT LINE
and MELVIN HOWZE

DEFENDANTS

ORDER

The Court appreciates and commends the parties' agreed proposed statement of the case. The Court has made a few edits for clarity, which are noted on the attachment. The Court will use the revised statement in *voir dire* and in the jury's preliminary instructions.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

7 January 2016

DPM Edit

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

CARLA LEWIS BY AND
THROUGH HER GUARDIAN,
KATHERINE DAVIS

PLAINTIFF

V.

NO. 4:13CV0589-DPM

OLD DOMINION FREIGHT
LINE, INC. AND MELVIN HOWZE

DEFENDANTS

AGREED PROPOSED STATEMENT OF THE CASE

This case involves an auto accident which occurred on westbound Interstate 30 in Benton, Arkansas, on November 25, 2012, at approximately 8:43 p.m. Carla Lewis was driving a 2003 Dodge Durango, accompanied by passenger Christina Jones, traveling to Hot Springs, Arkansas. ^{In this lawsuit,} ~~The Plaintiff,~~ Katherine Davis, as Guardian of Carla Lewis, alleges Ms. Lewis became incapacitated while driving, and as a result, her vehicle was stopped in the center lane of westbound Interstate 30. The passenger, Ms. Jones, fled the Durango, while Ms. Lewis remained inside. After which, a pickup truck made contact with the passenger side of the Lewis vehicle. Melvin "Keith" Howze, operating a tractor-trailer on behalf of Old Dominion ^{Freight Line} ~~tractor-trailer~~, was also traveling westbound on Interstate 30 alongside other traffic. Sometime after the first impact from the pickup truck, Mr. Howze struck the Durango from the rear. ^{Ms. Davis} Plaintiff claims that Mr. Howze was negligent and that he and ^{Old Dominion,} his employer are liable for any damages incurred by Carla Lewis as a result of the accident. ~~Defendants~~ deny that Mr. Howze was negligent, and deny ^{Mr. Howze and Old Dominion} liability for any of the damages sought by Plaintiff.

Ms. Davis for Ms. Lewis.