

A. ***Avondale Mills v. Norfolk Southern***

In *Avondale Mills v. Norfolk Southern Railway Company*, C.A. No. 1:05-cv-2817-MBS (DSC 2005), GWB shareholders [Howard Boyd](#), [Phil Reeves](#), [Ron Wray](#), and [Chris Kelly](#) teamed with attorneys from several other firms in representing Norfolk Southern Corporation and Norfolk Southern Railway Company. The case arose from the derailment of a Norfolk Southern train in Graniteville, South Carolina. Avondale Mills alleged that chlorine released as a result of the derailment caused property damage to its textile plant in Graniteville. Avondale further claimed that the property damage it sustained ultimately led it to terminate its operations at all of its facilities and locations and sought over \$450,000,000 in actual damages for remediation costs, business interruption, and lost business value. Avondale also sought punitive damages, making the total damages sought approximately One Billion Dollars.

Trial of the case began on March 10, 2008 in Federal Court in Columbia, South Carolina. GWB attorneys not only handled significant aspects of the trial, but also played vital roles in the case preparation and work-up. This included multiple Daubert motions regarding expert testimony sought to be offered by Plaintiffs, as well as numerous summary judgment and discovery-related motions.

The parties estimated the case would take approximately 3 or 4 months to try. Had the case gone to verdict, it would have been one of the longest trials ever conducted in South Carolina state or federal court. However, following nearly one month of trial, during which numerous lay witnesses and experts testified, the case settled on April 4, 2008.

B. ***Stephens v. CSX***

A few months after the Avondale trial concluded, GWB shareholder [Ron Wray](#) teamed with lawyers from McGuire Woods in Richmond, Virginia, and Fulcher Hagler in Augusta, Georgia to represent CSX Transportation, Inc. in the case of Willie Homer Stephens, Guardian ad Litem for Lillian Colvin, a minor v. CSX Transportation, Inc., C.A. No. 04-CP-25-267. The Stephens case involved a grade crossing accident that occurred in Hampton County, South Carolina. Plaintiff alleged that the minor, Lillian Colvin, sustained a traumatic brain injury as a result of the accident. Actual damages sought were in excess of \$10,000,000, and Plaintiff also requested punitive damages.

The Colvin trial lasted approximately 3 weeks. At the conclusion of trial, the jury returned a defense verdict in favor of CSX. Johnny Parker, a well-known trial attorney from Hampton County, served as lead counsel for Plaintiffs.