

IN THE STATE COURT OF BIBB COUNTY
STATE OF GEORGIA

CHARLES EMMETT BRIDGES)
and ERMA D. EPPS,)
)
Plaintiffs)
)
vs.) CIVIL ACTION
)
AVANT TRUCKING COMPANY, INC.,) FILE NO. 25351
RELIANCE INSURANCE COMPANY,)
BILL COX EXCAVATING COMPANY,)
INC., and QUEEN CITY)
CONSTRUCTORS, INC.,)
)
Defendants)

CLOSING ARGUMENT

Wrongful Death of 7-year Old Child

VERDICT (All Defendants): \$1,200,000.00

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SUMMARY OF THE CASE

The Plaintiffs in this case were the divorced parents of Tracey Deloris Bridges. They had each remarried at the time of the death of their child. Tracey was 7 years old at the time of her death and had completed one year in school. Under the Georgia Wrongful Death Statute, the parents have the cause of action for the death of a minor child and the damages to be assessed are totally left to the enlightened conscience of the jury with the only guideline being "the full value of the life of the deceased without deduction for necessary or other expenses had she lived".

On August 7, 1980, Tracey Deloris Bridges, along with her sister, Carla Bridges, was a passenger in a pickup truck being driven by her grandfather, Louis Harmon, on Old Highway 80 in Crawford County, Georgia. Agents and employees of Defendant, Queen City Constructors, Inc., had blocked the entire width of Highway 80 with a low-boy tractor-trailer rig which had become stuck while the driver was attempting a u-turn at the bottom of a hill. The driver was at this location to retrieve a front-end loader when he became stuck. A fellow employee was driving the front-end loader toward the stuck tractor-trailer rig with plans to pull the rig from the highway as Louis Harmon drove the pickup truck toward the scene. The driver flagged down Mr. Harmon and caused him to stop in his lane of travel while waiting for the front-end loader to pull the low-boy from the road. The

employees of Queen City Constructors put out no warning signs or flagmen for traffic approaching from either direction.

Approximately 800 feet from where the low-boy was stuck, there is a crest of a hill and while the low-boy was stuck across the highway, a semi-dump truck owned by Bill Cox Excavating Company, Inc. and being driven by its employee and loaded with sand being hauled under the Public Service Commission License of Avant Trucking Company, Inc. who is insured by Defendant, Reliance Insurance Company, crested the hill at a speed well in excess of the speed limit.

Upon seeing the blockage in the road, the driver of the sand truck drove over to the left-hand lane, got out of the truck on the running board, and jumped from the sand truck allowing it to free wheel into the low-boy where it struck near the cab of the tractor, became air-borne and crashed into the pickup truck where Tracey Bridges, her sister, and grandfather were waiting. The collision caused the death of Mr. Harmon and severe personal injuries to Carla Bridges as well as causing fatal injuries to Tracey Bridges. Both the case of Mr. Harmon and the case on behalf of Carla Bridges were settled prior to trial and prior to our association in the matter.

At trial, we introduced no evidence as to any future earning potential as Tracey was only 7 years old at the time of her death. Rather, we relied heavily on lay testimony as to the type of child she was, examples of her talent such as drawings, writings, her report cards, and home movies taken by her parents prior to her death as well as photographs of Tracey.

After four and one-half days of trial, the jury deliberated two hours and ten minutes and returned a verdict for \$1,200,000.00 against all Defendants. This amount is a record for the State Court of Bibb County, the court in which the cases were tried, and is believed to be a record in a child wrongful death case in the State of Georgia.

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Plaintiffs)

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BILL COX EXCAVATING COMPANY,)
INC., and QUEEN CITY)
CONSTRUCTORS, INC.,)

Defendants)

CIVIL ACTION

FILE NO. 25351

TRANSCRIPT OF CLOSING ARGUMENT OF THOMAS WILLIAM MALONE

CLOSING ARGUMENT

May it please the Court.

Ladies and gentlemen of the jury. We're now in the final end of the trial, our final argument. I'm going to take a few minutes just to talk about some of the things that all of the defense counsel have talked to you about. I think as I told you at the start of the trial and then again yesterday, it's really been a matter of everybody saying why it was everybody else's fault. Mr. Stapleton, in his candor with you just recently, has probably saved me a lot of time and a lot of talking that otherwise I would have had to do.

I want to talk to you first of all about why the Cox-Avant-Reliance interests are really one and the same, just as Mr. Stapleton has told you, but the main thing is, Jeremiah James was hauling sand for his direct employer, Cox. Cox, who was an employee of Avant. Any way you want to look at it, the Judge is going to charge you, that when someone in the scope of their employment, furthering the business of their employer, causes a wreck, the employer is responsible. Jeremiah signed for the sand, Avant's sand. Remember that--when Mr. Rucker was on the stand, this document about, "Please note that you are covered if you are injured on the job, you are considered an employee of Avant Trucking Company". That was sent to all leased drivers. That was not sent to Jeremiah. That was sent to Cox Excavating Company, Inc. As Mr. Stapleton points out to you, can you

believe it, there's a business relationship and nobody's got a copy of the lease, nobody's got a copy of the lease? But then Mr. Miller yesterday, in behalf of Cox, talked to you about the rules and regulations of the Public Service Commission. You don't get the law or the rules and regulations from me or from Mr. Miller, any of the lawyers. The law that you apply, the rules that you apply, come from the Judge, and I'm sure that many of you will certainly listen to the Judge's charge--I know all of you will--but many of you will take notes. The Judge isn't going to charge you these rules. These rules are a matter for another time between Cox and Avant to decide who it is is responsible. The rules of the Public Service Commission are of no benefit to Cox when Cox's employee killed Tracey Bridges. It just doesn't have anything to do with us. This rule is something that they'll be fussing about at another time and another day, and the Judge is not going to charge these rules to you in this case, and the reason he's not is because they don't have anything to do with our situation.

I almost fainted when Mr. Stapleton was giving his summation and Mr. Dodson stood up and objected because Mr. Stapleton was misrepresenting the facts. I've been wondering whether I ought to talk to you about all the things that Mr. Dodson has said throughout this trial that just frankly are not true, but I know that you know there were so many, you know. A lawyer has a duty to vigorously represent his client, there's no question about that. No lawyer has a duty to misrepresent anything.

Mr. Dodson, for example, said to you after my--my opening part of my summation, that he never said that Jeremiah aimed the truck. I'll leave it to your recollection as to whether or not in his opening statement he said he did what a reasonable man would do, he got down there and aimed it over on the side. Mr. Dodson told you that Professor Williams was an independent witness. That is about as consistent with most things Mr. Dodson has done in this courtroom. An independent witness--he was bought and paid for by Cox. He's no more an independent witness than John Cerny is. Mr. Stapleton doesn't come before you and tell you that John Cerny is an independent witness, because he's not. He's an expert witness hired by the defense. Well, enough for misrepresentations.

Mr. Skene said a few things that I want to go over with you. He said quite appropriately that we're not dealing with the joys of children that they bring to the parents and their grandparents. We're not dealing with the benefit on that side. What we're dealing with is the full value of the life of Tracey Bridges had she lived, the value of her life to herself. He said it's not a matter of compensating her parents, and in a wrongful death action such as this, it's not a matter purely of compensating the parents for what they lost, it's a punitive measure, a punishment measure, to punish tragedies such as this that claim the lives of innocent people through a civil action because the criminal laws cannot reach mere carelessness. That's what the case is about, and so therefore it is punitive to some

extent. And every case is different. There is no two cases or three cases that are alike. This case stands on its own. Tracey Bridges was a unique human being, unlike any other human being.

Mr. Skene talked to you about proximate cause. The proximate cause--the Judge will talk to you about it--he's going to tell you that there can be--I'm sure he'll tell you--there can be more than one proximate cause. It's when it's those acts of negligence, without which the tragedy would not have occurred. Mr. Stapleton told you I'd agree with a lot of what he said, and if he'll forgive me, I think he's through with it, I'm going to make one notation on his chart. The only--only change I'm going to make, that one word is the difference between the law of intervening cause and the law of joint tortfeasors, when the negligence of two people come together--come together, that is joint negligence. The Judge will surely charge you about joint tortfeasors and more than one proximate cause. When he talked about intervening cause, I'm sure that we can understand intervening cause if after this collision occurred because the lowboy got stuck and because the sand trucks came down the hill, and all the people are there at the bottom of the hill, the lowboy is now moved, the ambulances are there blocking the way, and two more sand trucks come down the hill and run into the ambulance. Well, the ambulances wouldn't have been there, you see, if Queen City hadn't stuck the lowboy and the others come along. You couldn't sue Queen City because now there would be an intervening cause, the blockage of the road by the ambulances and

others. It has to totally get away from the cause so as to not be a proximate cause.

Now, Mr. Stapleton told you too about contribution and apportionment. You know, this jury does not concern itself with how much which one pays or whether this one pays so much of a percent or that one pays so much of a percent. I like to use the analogy in explaining two proximate causes coming together, as taking all the negligence you see in the case and considering it like sand--and it's certainly appropriate in this case--and you've got a one-hundred pound croker sack full of sand and you're going to apportion that negligence by putting in the lap of each Defendants so much of the sand that you think was proximately related to the collision. Well, if you dump it all in the lap of Cox, Avant, and Reliance, and you have one grain left that sits on Queen City, your verdict is still against all the Defendants. In order for Queen City to escape responsibility in this case, they had to have had nothing to do with the proximate result of this collision, and certainly, if the lowboy hadn't been there, the trucks wouldn't have had anything to hit, so it's two acts of negligence coming together.

Mr. Davis, of course, talked to you about the parties being divorced prior to the tragedy. That has nothing to do with the case. It has nothing to do with the case at all. We're not talking about the value of Tracey's life to them. We're talking about--and somebody perhaps criticized me about saying that we made a bond with each other--well, I think you did, when I asked

you questions under your oath as jurors and you answered those questions, I accepted those answers as being your promise, as being a truthful answer. And then when I started the case, I didn't have to promise you anything when you were out there as jurors, didn't really have to promise you anything when we started. But you having made me promises, I made some promises to you, and that's what I say is the bond that's created between the jurors and those lawyers that make promises to juries. We've proven our case.

We talk about the Reliance Insurance Company, and don't you dare return a verdict just because you don't like insurance companies. Certainly don't do that. Certainly give an insurance company, give the Plaintiffs, give every Defendants, objective calculated considered reflective fairness. But why is Reliance in this case? Mr. Davis has told you this is a bit unusual and it is unusual. The reason Reliance is in this case and the reason that you're going to get to consider Reliance is because in order to have these 73,000-pound trucks running over the road, people like Tracey are protected by the requirement that there be a Reliance, or some other insurance company. So, no, don't bring them in as--on the basis of sympathy or prejudice. It's just the law makes it that way. If Avant is in, Reliance is in. So sympathy certainly--sympathy or prejudice certainly shouldn't have anything to do with your verdict.

This emergency doctrine. The Judge is going to charge you about the emergency doctrine and I know that you want to pay

close attention to what he says, and don't take it from me, but just listen well when he talks about emergency, because I know that that's been one of Mr. Dodson's main arguments, is he was faced with a sudden emergency.

The Judge is going to charge you in regard to the emergency doctrine that before any Defendant can avail himself of the emergency doctrine or get the benefit of the emergency doctrine, he has to be blameless. In other words, a person who participates in the creation of the emergency cannot claim the benefit of the emergency doctrine. If they're speeding down the road, they cannot then say, "Hey, I was speeding and I was careless and I was jumping out, but I didn't create the emergency, so, therefore, I get the benefit of not doing what a reasonably careful person would do." They have to convince you that they didn't have anything to do with this emergency situation. Speed's been established. I don't think there's any question about it. All you have to do is to look at that pickup truck and see it bent in two, and know that after knocking that lowboy out of the way they went on down another 66 feet and then knocked that truck as far back as--into that guard rail. You don't need to be a Professor Williams to know that truck was moving on at the time it hit the pickup truck. Well, they had something to do with creating the situation, so, therefore, they shouldn't have any benefit at all of the emergency doctrine. And, you know, Jeremiah James, he may be a nice fellow. Whether he's a nice fellow or not, I don't know. He's not a very careful

truck driver. He's a good man, I'm sure maybe he takes care of his children, maybe he brings his paycheck home and gives it to his wife, maybe he goes to church every Sunday. He might be good about a lot of things, but he wasn't good on August the 7th, 1980, in driving that truck, and I think he got over on that left-hand side looking for that grass to jump out because he knew that Bennie was behind him, just like Mr. Stapleton said, but in any event, he was not a very good truck driver on August the 7th of 1980. And, you know, this lawsuit--they've talked about anybody--the lawyers from Byron or lawyers from Roberta or lawyers from somewhere could have put in \$50,000.00. I would suggest if some lawyer thought that Tracey Bridges' life was worth no more than \$50,000.00, that lawyer ought to be disbarred. What I'm trying to tell you is, I didn't prepare the complaint. I got into this case later on. The Macon lawyers had already decided this precious child's life had substantial value to it. So don't be misled by these rabbits that come up in the case.

And, you know, they were out there on August the 7th of 1980, pursuing the business pursuits of these various corporations. Tracey was riding home with her granddaddy and little sister, and, you know, about the time they were out there taking their photographs and not telling Officer Green that there were even two trucks involved, you know where this family was, and then criticize us because we don't have any photographs showing the scene. Mr. Dodson gets his chalkboard and puts that

ruler on it. You notice when he takes that ruler and puts it on it, he puts the line of sight over on the left-hand side of the road from the right-hand side of the road? Why didn't he put it over there in his lane of travel? Jeremiah, if he had been looking, could have seen that his own lane of travel was blocked. Talking about "Miss Kiki (sic) and Bill, my client--my client the truck". You know, nobody is the Defendant in the case. He even told you that the truck was not impersonal, that a corporation was a person. You know, there--there are no human beings named as Defendants in this case, not a Jeremiah--you shouldn't be responsible--and I think the Judge will charge you--or be concerned about the consequences of your verdict. You should be responsible only for the truth of it. And if Jeremiah were a named Defendant, it should affect the full value of the life of Tracey Bridges, but he's not. Only the corporations, only the corporations are going to feel the effect of your verdict.

I've got plenty of notes here, I don't want to finish with Mr. Dodson's closing, except for this. I thought this was going to be the longest, most boring trial that I have ever been involved in in fifteen years of trying cases, when I bring a man in just to explain to you how he made a model that I thought would be helpful, for every witness, Plaintiffs' and defense, to use in explaining to you what they saw, and they went on and on and on about the pictures not being this, the pictures not being that. That witness shouldn't have been on the stand five or ten

minutes, but he drew this model and explained what the model was for and showed the little things and--so that witnesses later on could use them to explain things to you. Plaintiffs' Exhibit #29, Plaintiffs' Exhibit #30(a), (b), and (c) were offered into evidence by the Plaintiffs. I didn't think they were necessary. Those are the foundation documents, you remember, the graph, the highway department map, and the three pictures that were on top of the board. We offered all those documents into evidence. Well, one or more of the Defendants objected to them and I said, "Well, I'll just withdraw them", so then Mr. Dodson puts his number on that Plaintiffs' Exhibit #29 and Queen City introduced the others. Well, if they wanted to introduce them, I didn't have any problem with it. The only reason those documents existed was so that witnesses could testify to you about what they saw. What I had them for was done and over with, but then to act like I didn't introduce the document that I offered that received an objection was because I was trying to mislead you or withhold evidence from you, hurts my feelings, and I just want the record straight on that. That diagram was done, and I think a little bit more helpful, than Mr. Dodson's chalkboard that he did, but it was there for you, it was there for the witnesses and--and I think you understand, you know, what--what we intended to show. We didn't--we didn't need to show back up the hill, we were trying to give you that view that would let the witnesses be able to place these things where they were at the time of impact. The primary thing I wanted you to be able to see that I

know you did see from all the witnesses, Mr. Harmon and the two little girls were sitting there. Mr. Dodson said, "one, two, three, four, is all Jeremiah had." One for Tracey, two for Tracey, three for Tracey, and four for Tracey. Those four seconds with Jeremiah behind the wheel, as Mr. Stapleton showed you, would mean that Tracey was here today.

Well, I think I've talked to you enough about the law, and I'm not--not going to try and bore you or burden you. Your verdict in this case should be against all the Defendants that are named. Your verdict should be fair. Your verdict should reflect the truth of the case. Well, assuming we have all the Defendants in the case, assuming all of the Defendants contributed to the death of Tracey, we now come to that question that I was so concerned about when we asked you the questions we did before you were permitted to sit as jurors. You know, one of the jurors said, "Mr. Malone, I just couldn't put a dollar value on a human life," you know, and I can understand that, and that was an honorable thing she did, to say that she could not do that which she would be instructed to do if she were selected as a juror, and you saw what happened to her. The Judge excused her for cause. Because, see, the Plaintiffs could never get a fair trial, our judicial system wouldn't work, if you had jurors who started off the trial of the case unable to do the duty that they were swearing to do. Each of you, however, promised that you could do it, that you would be able to put a dollar value on the life of Tracey Bridges if we proved our case. And that's where

we are now. We're discussing how you can arrive and, gosh, there are going to be twelve of y'all that do this, and I can't do it. All I can do is help you, I hope. If you think that human life in this county is worth no more than \$100,000.00, \$200,000.00, and you aren't open minded about it, I guess you'd just as well close your eyes now and don't listen to what I'm saying, because there's nothing I'd be able to do to convince you that human life has meaning and has worth and has value, and we're talking about the value of a human life to that person, not to anybody else, but to that person. Tracey Bridges was a special little girl. Hers was a life that had true value. You'll have out in evidence with you what's called the annuity mortality table for 1949 ultimate. You're not bound by this, it's just like expert opinion testimony, but there are a lot of companies in our nation today that are able to project how long a person is reasonably expected to live, and that's what we're saying, that Tracey had the right to a reasonable expectancy of a number of years to live her life. It may be of help to you, and the Judge will charge you about it even, but if you'll see that down through about age nine, they treat male and female the same, but you just look over here, anybody that ever--anybody from age--from birth to age 109 can look at this table or the companies can look at it and tell you or you can look at it yourself--how long will a person like me--this is well folks, sick folks, everybody, just on a nationwide average basis--how long does a person reasonably expect to live. You'll see if you're 6 years old you'd have a

reasonable--7 years old, you'd have a reasonable expectancy of 66.82 years, 66 years, we'll just round it off as 66 years. And at any age you can figure out how long someone would reasonably be expected to live. Those are the kind of decisions and determinations that, I think, are made every day in the United States. Every time business is done involving something today that's going to happen sometime in the future to a person, they look at the life expectancy and they use those tables, so I would suggest to you that--you can use any way you want to, you can say, "Well, I had a granddaddy that lived to be 102," or you can say, "My mother died when she was 63." You can do anything you want to, but people are just going to live until they get to be X age, but I think that probably is a reasonable tool for you to use in starting your considerations about how to place a dollar value on a human life, and I think that 66 or 67 years or 65 years is probably conservative, but it's a reasonable approach as to how long you would expect somebody to live.

Now, was Tracey unusual? You remember the film. Just take a minute and just think about that film. It clearly shows you that she was a little girl that loved loving. Every picture I've seen of her where anybody was involved in the picture, she's got her arm around them or she's kissing them, or she's smiling. Remember when she wiggled her little fanny? I mean, she was a happy little girl. I think they said Fonzie or somebody like that started that, but she was wiggling her little fanny and everytime she'd realize the camera was on her, she'd just wave

and smile at you. A happy girl, not an unhappy girl. One year of school and she gets this spelling medal. An exceptional student. But other than, you know, to be six or seven years old, and to be interested enough in learning how to glaze something and then paint it and then do the finger painting on top of it--she was interested in life. Cut way too short. And at Bible School she made this herself. It says, "Jesus Saves", and we all know that's correct, and as one of the lawyers said we don't ever know why the Lord takes us when the Lord takes us. That's true. You know, the Lord didn't take Tracey. The lowboy truck and a the sand truck took Tracey. If you believe that everything just happens when everything happens and nobody's ever responsible for it, then you really wouldn't be qualified to sit as a juror. You know, everything--we just wouldn't have a system, you know, because everything would just happen as everything happens. There's a legal defense in our legal system called "The Act of God" defense, and that could be when lightning strikes somebody, it could be floods, disasters, it could be any number of things. The Judge will not charge you on Act of God. He will not charge you or permit you to consider that God took Tracey away. This is a tort case, a wrongful death case. It is necessary to our system of justice. You know, before they had a system of justice, or if we didn't have an opportunity to come to court--and basically, I think that the Plaintiffs recognize the duty to come to court, to let you twelve put that dollar value and make these decisions. I guess if we didn't have this, then

all we could do in a situation like this would be go get our gun and go out there and claim an eye for an eye and a tooth for a tooth, but, you know, we don't live in that kind of country. We live with a government of laws that protect us all everyday, and, you are our safety, and by our safety, I mean everybody's, every member of the United States of America has safety and comfort in knowing the jury system intends to do justice.

Scholarship certificate, first year--first year in school--she got a certificate for scholarship, and then at the Byron Elementary School, straight A's. No problems with deportment or conduct. Nothing. An excellent student in all regards. You know, she used to--and I think you can just look at some of these things, and I'm not going to go over all of them with you, by any means, but can you imagine the happiness that she got out of making the "Happy Birthday" cards that she did? And you'll notice throughout these things, there's always a heart, always a heart. I think clearly showing that she knew what love was about in her seven years. A lot of us maybe have forgotten, you know, what real love is about, but she knew. She knew. "I hope you like your gift. It was all I could find." Then some more hearts. More hearts and flowers this time, "Happy Birthday", "Happy Mother's Day, Granny. Roses are red. Violets are blue. You know something? We love you. Tracey and Carla." The enjoyment she had out of knowing her sister.

And this tells you something else. "Dear Mama, I love you. I love you so much." And then that's got Erma's name down there,

that's her mother, and then you see, I think that she was drawing a picture--you don't need to be a psychologist to understand that--but look, a heart of love. She enjoyed receiving the love that her mother gave to her. Another heart. Wherever there's an eye, nose or a mouth, all done with hearts. Six years old, blue sky, sunshine. It was when she was six she did this. And, you know, that's what the case is about. All those blue skies and all that sunshine that this child will never see again, that she enjoyed her life. Was she the kind of a person that was cruel to animals? You know, we have to have laws to keep people from being cruel to animals. Her daddy told you about this, a little stray cat came up, she got some milk and fed it to the cat. The cat later wandered off, but she didn't forget knowing the cat. "A kitten. I saw a kitten and he was gray and I loved the kitten." Wouldn't it be nice if all adults loved the kitten? Then she had a puppy named Trouble, and made this herself, a happy Trouble, a happy little girl. She got an A for this, January the 9th, of 1980, about an airport. "Here's a city for going away, a town within a town where people eat and nap and stay while planes go up and down." Tracey never rode in an airplane. Don't you think she would have enjoyed one plane ride? "It is love to me. I and to Carla. It is funny. I am good". Don't we know she was a good girl? More hearts, and "I love you". She was even beginning to make her books, learn something about money, had her number book, learned how to tell time which, of course, does not tick for Tracey anymore. 100 on

the time. Children enjoy Christmas. Was Tracey entitled to enjoy more Christmases? Look at her Christmas. Started off being a right pretty little girl, didn't she? Look at her eyes. And that grin. And that expression, and ask yourself whether or not she was a little girl that enjoyed her life. Just as valuable as anybody else's. Did she love her sister? All you've got to do is look. Do you think she loved her? Do you think she enjoyed loving her sister? In every one of these photographs, Tracey snuck her arm around her little sister. There with all the books to read, showing off for the camera again, that one, that one. Well, let's look at this one a minute. You see, I'm all through now telling you about the things that she's done in this rather cold bit of documentary evidence that we've brought to you.

Let's think about ways we could imagine how we can handle this difficult task of placing a dollar value on her life. It's almost horrible to think about it, but if instead of being killed, she had merely been blinded, just blinded, say. Who would say a million dollars was excessive for a little 7 year old girl to spend the rest of her life in the darkness? Or say it had just paralyzed her, taken off her arm. You know, she gave the ultimate. This isn't a personal injury case. This is a death case. Five million dollars, that sounds like an awful lot of money. Mr. Stapleton says, "Don't let Tommy Malone go back to Albany, Georgia as he drives down the road and, I guess stop and tell folks, say, 'Look what I fooled those Bibb County jurors

into doing'." They recognize that this human life was worth an enormous amount of money. I have no shame in asking you for money like that for this little girl. What would he have me do? Watch him ride down the road or these other lawyers ride down the road and say, "Boy, they had us scared slap to death, but we did such a good job, we got that jury only to award a pittance and we've we won our case." You know, they can't lose their case really, whatever your verdict is. All of us lose if you undervalue Tracey's life, because they knew when they came in here that you would be required to put a dollar value on her life. They may lose about whether or not their client's in or out, but they didn't have anything to do with this wreck, not the lawyers. We all lose if you undervalue her life. I think the example about the eyes and so forth--I could go on and on.

I want to talk to you a minute about maybe another approach about how we in the United States of America value human life. You know, the Russians beat us to outer space, and I'm sure you'll remember why they beat us. We weren't just trying to send them up, we were trying to make sure they could come back. It cost billions of dollars in America, we make sure they come back before we send them to outer space. Can you imagine when they came back with the space shuttle radioing down and saying, "Listen, we think we might can make it, but it'll be a crash landing and we might get killed, but we might be able to bring the plane in safely, but it's pretty certain we're going to get killed. We can bail out now and live, but if we bring it in

we're probably going to die, but we have a little chance to save this billion dollar space shuttle." That quick, the command would come, "Eject." We value human life in our country. And how, when you--when you come to court and this little human life,--you know, people came from humble beginnings ever since we've had America, that's what makes it so great, and reach the heights, reached the heights. None of the things that Tracey will be able to do. If anybody goes fishing off the coast, anybody, the lowest person in our country, and they get adrift, do you think they say, "No, we can't send out those Coast Guard cutters?" "No, we can't send the helicopters?" "No, we can't go up to Mt. Helen and spend millions of dollars looking for these people because there might possibly be a survivor?" They don't think about holding back on the money when a human life's involved, and--and yeah, maybe all of the lawyers in Georgia think I'm nuts to talk to a jury about doing what I say has to be the kind of conclusion you come to. I mean, you could've dodged this job if you'd have wanted to. All you would've had to say is, "No, I'm not awarding any big money for any human life. Money won't bring somebody back." Well, that's not what we're here for, we're not here for sympathy. We've had plenty of that from the family and friends--not from these corporations--but from the family and friends, we've had all the sympathy we need. We're here to do that which the law requires us to do, prove our case and then ask you to place a full value, full value. One of you might go out and say, "Well, listen, you know, I know he's

talked about five million dollars but he does not really want but two million five hundred thousand dollars "Well, what dollar amount you put--the five million is a suggestion, the five million is what we come up with as a suggestion. Let's just say you decided that it was two million was the value of her life, but then you said, "Well, two million dollars is so much money, let's just cut it in half and everybody will be happy. You know, it wasn't as much as it could have been and it's a lot more than it might have been, so everybody will be happy, but we really believe that they proved that little girl's life was worth two million dollars," and so you do this compromise thing for whatever reasons might run through your mind, and you think, "Well, you know, we've done justice." Well, you would have done half justice, wouldn't you? If your decision wasn't what you made, and you cut it in half because two million sounds so big? Well, if two million is the figure, then two million it is. If it's five million, then five million it is. Whatever you decide. Whatever you decide. And half of justice is half injustice, and none of us here today, probably no more--well, all the--all the defense lawyers want to see justice. All of us want justice.

I think I could talk forever. I think I could just sit down right now, and I don't have any explosive closing for you. I just want to tell that you that you have been attentive. You have paid attention to what's gone on in this courtroom as well or better than any jury I've seen before, and I know you know

what awesome responsibility you have to make sure that you award the full value of the life of Tracey Bridges.

Last night some of us were just talking and got out a pencil and--I think \$10.00 an hour is what we came up with for the rest of her life, and it was something like five million six hundred thousand dollars. Just \$10.00 an hour for the enjoyment of living. Think, if you will, about the fact that she won't ever graduate from high school. She won't ever wear that party dress. She won't ever experience that first love. She won't ever bear children of her own. She won't ever go to school. She won't ever be able to help others. Her life has value. Her life has an enormous value, and the only terrible thing that could happen in this courtroom would be for you conscientious jurors to turn your back on the truth and the commands of this case and come back with a small amount of money. Whatever it is, nobody is going to fuss with you. I'm not going to fuss with you about anything, it's just not my style. Think about it. There's no sign out there on the Bibb County line saying, "Human life ain't worth much in Bibb County." Award a full and adequate amount so we can all go home. Complain about the law, if you will. Say, "Gosh, I didn't want to award that much money, but, you know, the Judge told me if I awarded anything I had to award the full value of the life, not just part of it," say, "Gosh, I feel funny, you know, being a part of a five million dollar award, but, you know, we had the job of seeing that little girl in film, seeing what kind of life was ahead of her, and we were sworn to do our duty, and like it or not, we did it."