

LEGAL UPDATE

CUNNINGHAM BOUNDS

TRIAL ATTORNEYS

SPRING 2024

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\$5 Million Settlement for Case Involving Death of 15-Year-Old



On January 26, 2024, the law firms of Cunningham Bounds and Laird, Baker & Blackstock obtained a \$5 million settlement against Lakeland Tours, LLC d/b/a WorldStrides, Inc. The settlement was on behalf of the family of a teenager who died after becoming ill during a school field trip in Washington, D.C. The settlement came on the fifth day of the trial.

WorldStrides is a large student travel company that operates educational travel trips all over the world. WorldStrides promoted a “Doctors on Call” program which provided customers access to a dedicated team of emergency physicians who would ensure the care/medical well-being of students on trips if a medical event occurred.

In June 2018, the Stokes family sent their 15-year-old son, Ryan, on a WorldStrides trip to Washington, D.C. Due to her son’s medical history, Ryan’s mother relied on WorldStrides’ representations that if a medical problem occurred, a medical doctor would be available to treat her son.

During the trip, Ryan became sick and notified one of the chaperones that he had thrown up and was having severe stomach pain. The chaperone initiated the “Doctors on Call” program provided

by WorldStrides. Both the chaperone and Ryan’s mother believed that a doctor was coming to see Ryan. However, unbeknownst to them, an unlicensed physician assistant—not an emergency physician—was sent to the hotel. The physician assistant misdiagnosed Ryan with minor, non-life-threatening conditions and did not refer him for any further treatment/evaluation. Contrary to WorldStrides’ representations, no doctor was consulted or involved in his care. The following morning, Ryan collapsed and became unresponsive. 911 was called, and he was rushed to the emergency room where he was diagnosed with a bowel obstruction. Surgery was performed but Ryan never regained consciousness and died three days later.

Cunningham Bounds attorney Joseph McGowin said, “Companies like WorldStrides should be held to account when they choose to put children at risk through deceptive sales tactics. Ryan’s family deeply appreciates the dedication of the jurors in Covington County who served on this case. After years of denying responsibility, WorldStrides only offered a fair settlement once a jury had heard the evidence and a verdict was imminent.”

Mr. McGowin represented the Stokes family along with Cunningham Bounds attorneys Skip Finkbohner, Dave Wirtes, and Joe Steadman and attorney Wesley Laird of Laird, Baker & Blackstock.



Skip Finkbohner



Joseph McGowin



Dave Wirtes



Joe Steadman

Accolades

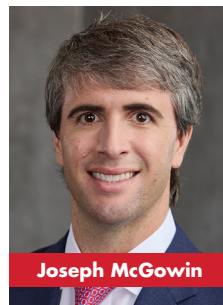
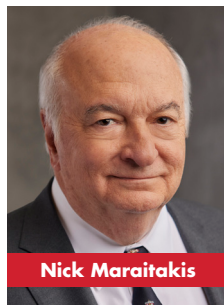
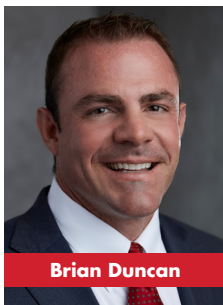
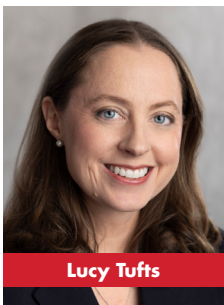
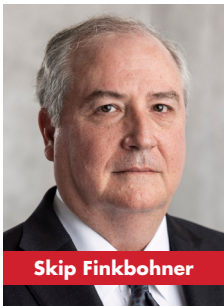


Robert Mitchell Appointed to ABOTA National Board

Robert Mitchell has been appointed to serve as a National Board member of the American Board of Trial Advocates (ABOTA). Mr. Mitchell was appointed by the Executive Committee of the Alabama Chapter of ABOTA and will serve a 3-year term on the National Board.

Best Lawyers® Honors Cunningham Bounds

Cunningham Bounds was again recognized for its long-standing reputation for excellence in the recently released 2024 Best Lawyers in America® and Ones to Watch® publications. Best Lawyers is widely recognized as one of the most respected peer-reviewed legal ranking publications in the United States. The attorneys selected for inclusion in Best Lawyers publications are regarded as among the best in their respective fields, reflecting their outstanding legal expertise and dedication to their clients. These Cunningham Bounds attorneys were honored by Best Lawyers in 2024:



LEGALUPDATE CUNNINGHAM BOUNDS

ATTORNEYS

TOBY D. BROWN

GEORGE W. FINKBOHNER, III

DAVID G. WIRTES, JR.

STEVEN L. NICHOLAS

GLENN E. KUSHEL

DAVID S. CAIN, JR.

WILLIAM E. BONNER

ROBERT L. MITCHELL

J. BRIAN DUNCAN, JR.

LUCY E. TUFTS

JOSEPH D. STEADMAN

JENNIFER JAYJOHN YORK

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Committed to Helping Others

Cunningham Bounds Sponsors 8th Annual Cajun Cook-Off Benefiting the Child Advocacy Center



For over 65 years, Cunningham Bounds has dedicated itself to the pursuit of aiding those in need. Aside from assisting families facing serious injuries or the loss of a loved one, the firm has also engaged in championing local charities, organizations, and agencies. Among these, the Child Advocacy Center stands out, dedicated to the noble mission of aiding children who have suffered from abuse.

Since 1988, the Child Advocacy Center has served thousands of children in the Mobile area. The Child Advocacy Center provides a warm, non-threatening environment where professionals responding to reports of child abuse meet with their young clients. The Center is intended to be a “special place” for

any child who walks through its doors. Every aspect of the Center is crafted to communicate that each child is valued by the professionals who dedicate their efforts at the Child Advocacy Center.

In 2015, Cunningham Bounds forged a partnership with the Child Advocacy Center to create the inaugural Downtown Cajun Cook-Off. The firm has held the position of the event's signature sponsor each year. This event showcases live music and numerous teams displaying their culinary expertise in a diverse array of Cajun cuisine. Since its inception, the cook-off has successfully generated over \$455,000 in funds to the Child Advocacy Center and the children under their care.



Don't Miss The 2024 Downtown Cajun Cook-Off!

Date: March 23, 2024

Time: Gates open at 10:00 a.m. | Event ends by 2:00 p.m.

Location: Cathedral Square in Mobile, Alabama

Ticket Cost: \$15 in advance | \$18 in advance online | \$20 at the gate

Ticket Sales: Child Advocacy Center | Bebo's (Springhill and Hillcrest Markets) | Olensky Brothers (Downtown) | Arrow Exterminators (Mobile & Baldwin Counties) | CAC Online (www.cacmobile.org)



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The following language is required by Alabama Rules of Professional Conduct:
"No representation is made that the quality of the legal services to be performed is greater than the quality of legal services performed by other lawyers."

Wrongful Death Case **Filed** _____

Wrongful Death / Product Liability Lawsuit Filed in Georgia

Cunningham Bounds recently filed a lawsuit arising out of a November 24, 2022 automobile crash in Canton, Georgia. The collision resulted in severe injuries to our client and her daughter and tragically claimed the lives of her husband and another daughter. The defendants in this case include Ford Motor Company, Nissan

North America, and the driver of the Ford truck that crashed into the family's Nissan Armada. The crash occurred when the Ford truck's driver crossed the center line of the roadway and collided with the family's vehicle.

The lawsuit includes product liability claims against Ford for its failure to

equip the Ford truck with available safety features and technology as well as product liability claims against Nissan for its failure to provide crashworthy occupant protection and proper restraint systems in the family's Nissan Armada. Cunningham Bounds lawyers Glenn Kushel, David Cain, and Lucy Tufts represent the family in this tragic case.

