

## Andrea Davis

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**From:** Stewart Clontz & David Larson [ncaj@ncaj.com]  
**Sent:** Thursday, September 30, 2010 12:21 PM  
**To:** Andrea Davis  
**Subject:** Look What's Up with the Auto Torts Section!!



## AUTO TORTS Section Newsletter

# September 2010

## From the Communications Co-Chairs

In addition to our awesome *Interrogatories* feature and other interesting happenings, the September issue of the Section e-newsletter provides exciting details about Mountain Magic, NCAJ's annual event held at the Grove Park Inn in the charming town of Asheville. Mountain Magic has so much to offer Auto Torts Section members, it's almost as if the event was planned just for us!

If any Section member would like to be an *Interrogatories* participant or contribute an article of interest in upcoming issues of the e-newsletter, please contact us directly at [SClontz@Farrin.com](mailto:SClontz@Farrin.com) or [DLarson@lawmed.com](mailto:DLarson@lawmed.com) and include SECTION NEWSLETTER in the header of the email.

**ENJOY!**

**Stewart Clontz & David Larson**  
**Communications Co-Chairs, Auto Torts Section**

## Interrogatories



Each month an Auto Torts Section member responds to a few questions regarding his/her practice and experience, growth and changes in the auto torts practice area. This month, the *Interrogatories* spotlight is focused on **Stevenson L. Weeks**. On behalf of all Section members, we thank **Steve** for his terrific contribution to this newsletter!  
*Enjoy! -- Stewart & David*

### 1) What was your first personal injury trial and how did it go?

My first personal injury trial was in 1981 before the **Honorable Robert Rouse**. I represented a young boy who had been assaulted by an adult with a somewhat low IQ. The boy was harassing the man's chickens by shooting them with a BB gun. The man took the gun away from the child and broke his arm with it. The verdict for the child was \$25,000.

### 2) What was your most memorable personal injury case?

I represented two high school students, a young man and his date, who had been to the Junior-Senior prom. Returning home from the prom they were hit head-on by a drunk driver. The young man was rendered a quadriplegic by the accident. The case went to the Supreme Court of North Carolina on a

UIM/Selection Rejection issue. During my argument several members of the Court were in tears. When the decision was rendered a few month later, the Plaintiff and I were in tears.

### 3) What did you learn most from mentoring lawyers when you started?

Be professional, be prepared and try your case.

### 4) What would you share with a new lawyer now?

First, let your word be your bond and second, as Shakespeare said in the *Taming of the Shrew*, "Do as your adversaries do in law, strive mightily, but eat and drink as friends."

### 5) How has the insurance defense bar changed?

To me the defense bar is the same as it was when I started. You have those defense attorneys who are persons of their word, ethical and will try their case in a fair manner. Then, on the other hand, there are some defense attorneys that you can not trust, who push the rules of ethics to the limits and can't wait to take a cheap shot. The roles are the same, just the actors have changed.

### 6) Please comment on the current state of the auto injury practice in North Carolina?

It is more difficult today than it was 20 years ago to get just and adequate compensation from juries in personal injury cases. Today jurors tend to view the defendant as the victim for being sued, and not the plaintiff, who has sustained injuries through no fault of his/her own.

### 7) Who was the first personal injury client who touched you and why?

That would be the young man who was rendered a quadriplegic on his way home from the Junior-Senior prom, [as I mentioned in the question above]. He returned to high school the next year and graduated. He then went to the local community college and obtained a degree in Computer Technology. He now works as the head of the IT Department of a local manufacturer. When we replace computers in our office, I give him the old computers which he rebuilds and gives to children who can not afford computers.

**Stevenson L. Weeks** is a partner at *Wheatly, Wheatly, Weeks & Lupton, P.A.* in *Beaufort, NC*. **Steve** handles a wide variety of litigation in state and federal court in eastern North Carolina. His practice ranges from personal injury, wrongful death and real property litigation to admiralty and maritime claims. **Steve** has been listed in *The Best Lawyers in America* since 2001, has held an *AV Peer Review Rating* since 1992 and has been selected to appear in the 2009 edition of the *North Carolina Super Lawyers*. **Steve** received his B.A. from Eastern Carolina University in 1976, and his J.D. from Campbell University School of Law in 1980. **Steve** can be contacted at [sweeks@wwnwpa.com](mailto:sweeks@wwnwpa.com) or (252) 728-3158.

## Mountain Magic – Register Today!

*"Are any of your clients injured due to the wrongful acts of another? Are any of your clients Medicare recipients? Have you had insurance carriers arguing that your client isn't entitled to the full amount of the medical bill? Are you trying any cases in which you want to present the entire amount of the medical bill incurred? If you answered YES to any or all of these questions, then you need to attend the General Session for Civil Practitioners at Mountain Magic where we will be discussing Medicare Changes, particularly regarding the effects of Section 111, and the Collateral Source Rule."*

-- **Julie L. Bell**, Auto Torts Section Past Chair & Mountain Magic Program Co-Chair

**OCTOBER 14-17, 2010**

**Mountain Magic - [Register Today!](#)**

Grove Park Inn

Asheville

Enjoy the beauty of Fall in the western mountains of North Carolina while at the same time having access to great CLE and having fun networking with colleagues. These are just a few events that Auto Torts Section members may be interested in at Mountain Magic:

### Friday, October 15

*General Session for Civil Practitioners: Navigating the Medical Expenses Morass:*

- Medicare Changes: Who's on First; Where is My Check; and Why Is It Made Out to CMS? **Julie L. Bell** and **Christopher R. Nichols**
- Collateral Attack on the Collateral Source Rule: Keeping "Bill v. Paid" Out of North Carolina, **Burton Craige**

*Auto Torts Section Meeting  
Sunset Social Hour*

### Saturday, October 16

*Auto Torts Hot Issues and Case Law Update  
Search Engine Marketing Strategies  
Storage and Use of Personally Identifying Materials  
Sunset Social  
Evening at the Ritz!*

[Click here](#) for a detailed brochure.

[Click here](#) to register.

## Celebrate the NCAJ Blog!

The NCAJ Blog Committee -- **Stewart Clontz**, *Chair*; **Bob Bollinger**, **Michael Rothrock** and **Julie Willaford** -- ask you to celebrate the one year anniversary of the [NCAJ Blog](#) by submitting a NCAJ Blog entry today!

The NCAJ Blog is another avenue for NCAJ attorney members to inform the public about legal issues important to safeguarding their rights. NCAJ Blog posts range from family law and product safety, to workers' comp and criminal defense issues. [Click here](#) to read recent NCAJ Blog entries.

*Don't think you're a blogger?* Do you have a legal topic you want the public to be aware of and can you write a 100- to 300-word blurb on this topic? If you answered yes, then, you, too, can be a NCAJ blogger!

Email your NCAJ Blog entry to the NCAJ Blog Committee at [Liz@ncaj.com](mailto:Liz@ncaj.com).

If your Blog entry is used by the NCAJ Blog Committee you will be recognized as the Blog author and your firm's website will be linked to the NCAJ Blog for members of the public to click! Note, the NCAJ Blog includes a legal disclaimer indicating that the content should not be considered to be legal advice.

*Celebrate the NCAJ Blog -- Submit an Entry Today!*

## Upcoming Events – Save the Date!

### ATTEND THIS NCAJ PAC RECEPTION TONIGHT!

As NCAJ prepares for the 2010 election season, NCAJ cordially invites all members to regional PAC Receptions. The 2010 election is critical to NCAJ's mission of Protecting People's Rights. NCAJ PAC needs your help to support those candidates who will fight for justice and protect your clients' rights. Successful receptions have been held in the Triangle & in Charlotte...now it's your turn, Triad members!

**September 30, 2010, 5:30 to 7:30 PM**  
*The Law Offices of Comerford and Britt*  
*Winston-Salem*

If you are interested in sponsoring this PAC Reception, email [Todd@ncaj.com](mailto:Todd@ncaj.com). To RSVP, email [Kelly@ncaj.com](mailto:Kelly@ncaj.com).

### **AUTO TORTS SECTION SOCIALS - RSVP TODAY!**

The Socials listed below are open and free of charge to all NCAJ members and non-NCAJ members. Appetizers are courtesy of Section leadership. For more details or to RSVP, email [AndreaD@ncaj.com](mailto:AndreaD@ncaj.com).

#### **Auto Torts Section Triangle Networking Social**

**October 20, 2010, 5:30 to 7:30 PM**

*Natty Greene's Pub (The Game Room)*

*Raleigh*

[Click here for more details](#)

#### **Auto Torts Section Charlotte Networking Social**

**October 26, 2010, 5:30 to 7:30 PM**

*Zen Asian Fusion*

*Charlotte*

[Click here for more details](#)

### **SECTION-SPONSORED CLE - SAVE THE DATE!**

**December 3, 2010** - *Trial Methods Outside the Box*

**April 2011** - *Auto Torts Skills Training*

**May 13, 2011** - *Proving Economic Damages: Non-Traditional Wage Earners*

*Interested in other CLE topics?* Please [click here](#) for the full schedule of upcoming live educational seminars and video replays.

## **On-Point: Topics from the Section Listserv**

*If you do not participate in Section listserv, you are missing out on one of the most valuable (and free) benefits of being an Auto Torts Section member!*

Below is a list of wide-ranging topics that have been recently discussed by Section members on the listserv. As you can see, these topics greatly benefited all members of the Section listserv.

- Foreclosure of Client's primary residence
- UIM claim and premium increase
- Bad Faith?
- Hertford County Verdict
- Bankruptcy Court
- UM/UIM and SEHP Reimbursement
- Question about last closings
- Service by Pub. Raleigh
- RSVP Today for your ATS meeting at Mountain Magic
- Low Impact Verdict
- Carteret or Edgecombe
- Tolling agreement
- Ethics Question
- Rawlings and Federal BCBS lien
- Coverage in Quebec?
- Client recorded statement
- Medicare as Payee on Check
- Doctrine of Necessaries
- Police Chase Case
- Civil Court Costs increase 10/10
- Medical Certainty
- State Tort Claim
- Preservation Letter
- Valuation Opinions Sought – Wake County
- State Farm and Excess Verdicts
- SC primary policy/ NC UIM
- Who to serve?
- Medical Requests for Admission

So don't delay - make the most of your Section membership, email [AndreaD@ncaj.com](mailto:AndreaD@ncaj.com) today to set-up your Section listserv account.

Already a member of the Section listserv? [Click here](#) for a handy listserv FAQ.

## **2010-11 Auto Torts Section Officers**

**Chair:** [Don Higley](#) (Greenville)

**Vice Chair & Ethics Chair:** [R. Alfred Patrick](#) (Greenville)  
**Secretary:** [Stewart Clontz](#) (Durham)  
**Immediate Past Chair:** [Jeremy Tanner](#) (Clayton)  
**At Large Member:** [Julie Bell](#) Winston-Salem  
**CLE Co-Chair:** [Adrienne Blocker](#) (Durham)  
**CLE Co-Chair:** [Michelle Clifton](#) (Winston-Salem)  
**Communications Co-Chair:** [J. Stewart Clontz](#) (Durham)  
**Communications Co-Chair:** [David Larson](#) (Raleigh)  
**Legal Affairs Chair:** [Mike Adkins](#) (Salisbury)  
**Legislative Co-Chair:** [John McCabe](#) (Cary)  
**Legislative Co-Chair:** [Douglas Nauman](#) (Winston-Salem)  
**Listserv Security Officer:** [Sean Cole](#) (Durham)  
**Membership Co-Chair (Charlotte):** [Ann Groninger](#) (Charlotte)  
**Membership Co-Chair (Western):** [Brian Davis](#) (Asheville)  
**Membership Co-Chair (Eastern):** [Meredith Hinton](#) (Greenville)  
**Membership Co-Chair (Triangle):** [Glenn Page](#) (Durham)  
**Membership Co-Chair (Triad):** [Kevin Williams](#) (Winston-Salem)  
**NLD Section Liaison:** [Meredith Hinton](#) (Greenville)  
**PAC Chair:** [Jason Orndoff](#) (Hickory)  
**Publications Chair:** [Michael Jordan](#) (Durham)

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