

## LAWSUIT AGAINST MEDICAL TRANSPORTATION COMPANY SETTLES FOR \$300,000 FOLLOWING FAVORABLE RULING BY THE TENNESSEE SUPREME COURT

Memphis, TN, July 20, 2020 – Following a ruling by the Tennessee Supreme Court, a personal injury lawsuit pending for over four years has settled. MedicOne Medical Response Delta Region, Inc. recently agreed to pay \$300,000 in settlement for injuries sustained by the plaintiff, Frederick Copeland, during transport in a wheelchair van to a doctor’s appointment. MedicOne had tried to escape liability based on a form they had required Mr. Copeland to sign at the beginning of the trip. The form contained fine print waiving the patient’s right to bring a claim against the company for any form of negligence on the trip. Relying on the form, MedicOne refused to accept responsibility for its employee’s failure to assist Mr. Copeland, who was on a walker, getting into the van. Mr. Copeland’s fall resulted in surgery and months of hospital confinement. The Tennessee Supreme Court, however, ruled that the waiver was unenforceable as it was against our state’s public policy.

This decision by the Tennessee Supreme Court overruled prior holdings, severely limiting the use of exculpatory waivers such as the one employed by MedicOne. The effect of this ruling and settlement is that not only medical transport companies, but all Tennessee companies providing important services for physical or economic well-being, can no longer force customers into a “take it or leave it” agreement that would shield the company from liability for its own negligence. This ruling now protects citizens like Mr. Copeland who essentially had no choice but to sign the waiver so that he could make his doctor’s appointment.

Memphis personal injury attorney David E. Gordon fought all the way to the Supreme Court for Mr. Copeland and all Tennesseans whose rights to recover for their injuries are threatened by companies like MedicOne that attempt to escape accountability for their wrongdoing.

“It’s a great day for the consumer in our state. Fred Copeland and the Tennessee Supreme Court struck down a terribly underhanded practice that has been taking advantage of unsuspecting individuals in our state for years,” said Gordon.

If you wish to discuss this case or have questions concerning this notice, please contact:

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