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Kevin Williams and Chuck Clay Win Summary Judgment for Clients in 7 Dram Shop Cases Involving Multiple Deaths and Catastrophic Injuries

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Atlanta

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC ("WWHGD") attorneys Kevin Williams and Chuck Clay successfully represented Exprezit Convenience Stores and two individually named employees in seven dram shop cases which stem from a two-car, multi-fatality accident in South Georgia. All seven cases were dismissed via summary judgment.

The claim against Exprezit arose from a motor vehicle accident in Homerville, Georgia in 2004 where an intoxicated driver collided with another car and caused six deaths and three injuries, including a young child who lost an arm. The plaintiffs' lawsuit named both the driver responsible for the accident, Exprezit and two Exprezit employees. The plaintiffs argued that Exprezit violated Georgia's Dram Shop Statute and specifically alleged that Exprezit sold beer to a noticeably intoxicated person knowing that he would soon be driving.

Exprezit is an AIG-insured company. WWHGD was brought in by AIG's Excess Claims Department to examine Georgia Dram Shop Act's application to the subject facts, bolster the pending motion for summary judgment, and to take the cases to trial should other legal defenses fail. AIG had been provided with an earlier opinion letter from respected counsel which advised that summary judgment would be highly unlikely. Mr. Williams and Mr. Clay supplemented the existing briefing, handled oral arguments, and were ultimately successful in getting the Superior Court of Clinch County, Georgia to grant summary judgment for all seven cases. As Plaintiffs have filed a notice of appeal, WWHGD will continue this fight through the appellate process.

Jim Drake, Complex Director with AIG, was pleased with the results and stated, "The fresh approach, excellent research, analysis and revised strategy by Kevin and Chuck were instrumental in our success at the summary judgment level thus avoiding this potentially horrific damages case



Continued

getting to a jury."