



NICHOLSON REVELL LLP

ATTORNEYS AT LAW

FALL | 2023

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Personal Injury
Wrongful Death
Medical Malpractice
Motor Vehicle Collisions
Tractor-Trailer Collisions
Premises Liability/
Slip and Fall
Nursing Home Abuse
& Neglect
Products Liability
Eminent Domain



From left to right: Harry D. Revell, Sam G. Nicholson, A. Dixon Revell, Adam W. King, George S. (Sam) Nicholson

Car Wreck—\$10.1 Million Judgment

We represent a 44-year-old man who sustained catastrophic injuries in an automobile collision on Peach Orchard Road in Augusta, Georgia. The at-fault driver failed to yield the right-of-way while attempting to cross Peach Orchard Road and violently crashed directly into the driver's side of our client's vehicle. Our client sustained serious, permanent injuries to his left arm, his dominant arm, that nearly resulted in amputation. We secured a judgment in Richmond County Superior Court for \$10.1 million to compensate our client for the injuries he sustained.

*Augusta's Premier Personal Injury Attorneys
Serving All of Georgia and South Carolina*

What we're working on now:

Medical Malpractice – Shoulder Dystocia

We are serving as co-counsel representing the mother of a child who suffered a permanent brachial plexus injury during his birth. The doctor left the hospital during the labor process and failed to return before the baby was born. The nursing staff was forced to deliver the baby despite the fact they were not authorized or trained to do so. We have filed suit and are currently engaged in discovery.

Medical Malpractice – Failure to Diagnose

We represent the family of a 26-year-old woman who died in an Atlanta hospital as a result of her medical provider's failure to appropriately diagnose and treat her serious medical condition.

Nursing Home Negligence

We represent the family of a woman who suffered two broken legs during her residency at a local nursing home as a result of the nursing staff using an inappropriate lift while repositioning the resident in her room. We filed suit against the nursing home and are currently engaged in discovery.

Traumatic Brain Injury

We represent a 33-year-old man who was injured when a metal chain attached to a roll off container broke loose and struck him in the back of the head. Our client sustained a mild traumatic brain injury. We have completed discovery and are working toward jury trial later this fall.

Wrongful Death – Governmental Liability

We represent the family of a 43-year-old woman who called 911 to report that she was having difficulty breathing. She reported to 911 dispatch that she was unable to get to her door to let first responders in. Despite having permission from the victim to gain entry, first responders waited outside her home for nearly 20 minutes before entering. By the time they arrived in her bedroom, she was dead. We have filed a lawsuit against the responsible parties and are currently engaged in discovery.

Car Wreck – Wrongful Death/Catastrophic Injury

We represent the family of a woman who was killed by a drunk driver on Bobby Jones Expressway in Augusta at or near a construction zone. We also represent her front seat passenger who was catastrophically injured in the collision. In addition to a case against the drunk driver, we are also investigating potential claims against the roadway contractor who may have failed to implement appropriate traffic control measures in the work zone.

Partner Highlights/Community Involvement:

Partner **Harry Revell** recently travelled to Colorado Springs, Colorado to meet with a former client who suffered catastrophic injuries after being electrocuted at a power plant construction site. The client lost all four extremities as a result of his severe burns and other injuries. Harry has maintained an over 20-year relationship with the client and remains involved in protecting the client's settlement proceeds.



Partner **Harry Revell** was recently recognized for 30 years of service as outside counsel to the Richmond County Health Department.

GEORGIA TRIAL LAWYERS ASSOCIATION

GTLA

Protecting the Right to Trial by Jury



All our attorneys are active in the Georgia Trial Lawyers Association ("GTLA") because we believe in its mission to protect our 7th Amendment right to trial by jury. Partner **George S. "Sam" Nicholson** was recently appointed to the executive committee of GTLA for 2023-2024. Sam will be co-chairing the education committee responsible for coordinating various seminars throughout the year.



Partner **Dixon Revell** was re-appointed to the executive committee of GTLA for 2023-2024. Dixon will serve as co-chair of the New Lawyers Division.



AFFF

Aqueous Film Forming Foam Lawsuit

Our firm has been retained to represent a local government in a lawsuit against multiple private companies for damages, contribution, and reimbursement costs incurred, and which continue to be incurred to address the presence of Polyfluoroalkyl substances of "PFAS" chemicals found in and contaminating the soils, ground water, and surface water of the property of our client.

Specifically, we brought this action for the costs required to remediate the presence of Polyfluoroalkyl substances of "PFAS" chemicals found in the soil and raw water sources of our client, including distribution systems and wells.

- ▶ For years, the Defendants manufactured, sold, and distributed PFAS compounds and products containing PFAS chemicals in the form of a fire-fighting suppressant agent, concentrate solution, or foam known as Aqueous Film Forming Foam ("AFFF").
- ▶ AFFF has been used primarily at civilian and military airports, fire departments, industrial facilities, and military bases for decades for fire fighting and training, unaware of the environmental and health risk and hazards of using Defendants' AFFF Products.
- ▶ PFAS chemicals that seep into the soil and water are dangerous because they are mobile, persist in the environment, bioaccumulate in individual organisms, aquatic life, and humans, and bio magnify up the food chain. Once PFAS chemicals get into the environment, water, soil, aquatic life, mammals, and/or humans, the PFAS chemicals remain forever, hence their common name of "forever chemicals".
- ▶ PFAS chemicals are associated with significant adverse health effects in humans, including but not limited to kidney

cancer, testicular cancer, high cholesterol, thyroid disease, ulcerative colitis, and pregnancy-induced hypertension.

- ▶ Defendants knew, or should have known, that PFAS and related constituents in Defendants' products and by-products present unreasonable risks to human health, water quality, and the environment and of the dangers associated with these compounds. Yet, Defendants handled, discharged, and were otherwise responsible for the release of PFAS into the environment without sufficient containment, caution, warning, testing, or use of alternative feasible products or components.
- ▶ Defendants designed, manufactured, marketed, distributed, and/or sold AFFF Products knowing that the PFAS in these Products would be released into the environment during fire protection, training, and response activities, even when used as directed and intended by Defendants. Despite their knowledge, Defendants kept this information hidden from the public.
- ▶ Defendants' acts and omissions resulted in PFAS seeping into the soil, groundwater, and surface water of our client. As a result of the occurrence of PFAS in the environment from Defendants' products, Plaintiff has been and will be required to fund and implement capital costs and has and will in the future incur ongoing operation and maintenance costs.

Our case has been joined with various other local governments cases and is currently pending in U.S. District Court in Charleston, South Carolina. One Defendant, 3M Corporation recently agreed to settle all claims against it for \$10.3 Billion. This settlement followed a similar agreement with Chemours, DuPont and Corteva, which agreed on June 2 to pay 1.19 billion into a fund that will be used to remove PFAS from public drinking water systems.

Visit us online at:

There are many times when our clients have quick questions for us. An e-mail can be a convenient time-saver and is often the best way to reach us.

Find us on:



Mission Statement

Our mission is to provide caring, professional legal services to those who have been harmed through the negligence of others. We believe that everyone deserves access to our civil justice system and that wrongdoers should be held accountable for their actions. To achieve this, Nicholson Revell LLP remains a resourceful group of like-minded professionals committed to the pursuit of justice for all our clients.



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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please call the appropriate legal professional.

Co-Counsel Relationships

We are very proud that many of our cases come from referrals from other lawyers. It is an honor and privilege to be trusted by our colleagues to jointly represent a client on a co-counsel arrangement. We offer generous and flexible co-counsel arrangements that fit the circumstances of each case. We enjoy working with co-counsel, on a team approach, to advance the interests of our clients. In fact, over the last 5 years, we have shared nearly \$8 million in fees with referring co-counsel, most of whom are local. We are prepared to dedicate the financial resources necessary to take any catastrophic injury or wrongful death case to verdict. You can rest assured that our firm's expertise will lead to the best possible result and your client will have every reason to thank you for co-counseling with us in their case. We welcome referrals in the areas of medical malpractice, nursing home negligence, tractor trailer collisions, premises liability, and many more.

