

1 there's nothing that contradicts it.

2 Thank you ladies and gentlemen.

3 THE COURT: Mr. Ford.

4 MR. FORD: Thank you, Your Honor.

5 Madame Forelady and ladies and gentlemen, I'm
6 just gonna take a -- a very brief time. You've heard
7 lawyers say this I'm sure but I will be brief.

8 There are two pages on your Verdict Sheet and I
9 respectfully suggest to you that the very first question
10 has to do with my client, Cindy Young, and that your
11 answer should be a quick no. She was not negligent. She
12 did not cause this accident.

13 Let me take a moment to tell you that what you
14 just heard from Plaintiff's Counsel is interesting
15 because he is saying that Baltimore Tank Lines through
16 its operator should be responsible for this accident for
17 two reasons. One, the operator of that truck abruptly
18 changed lanes right in front of Mr. Ervin without a
19 signal and caused an accident.

20 It's interesting to note that that same
21 scenario that he describes as being the basis for his
22 claim against Baltimore Tank Lines is exactly what Mr.
23 Ervin's did so far as my client is concerned.

24 He abruptly changed lanes right into her path
25 without a signal, without applying his brakes, without a

1 horn. Why? I can't answer the why. Mr. Ervin's has
2 given you an explanation as to why he did it but the fact
3 is he did it. Was he forced over? I can't answer that
4 question. That is his contention. My client did not see
5 the tanker truck. She can't tell you whether he was
6 forced over or why he went over.

7 But the fact remains that Mr. Ervin came
8 directly into the path of my client's car and as he said
9 within a split second was hit. There is no proof that my
10 client did anything wrong.

11 She's driving home from the doctor's visit with
12 her six year old child when all of a sudden for whatever
13 reason Mr. Ervin comes into her lane. There is nothing
14 she could do.

15 Plaintiff's Counsel suggested to you that maybe
16 you could conclude that there was something else she
17 could have done to avoid this accident. And I suggest to
18 you would the right thing for her to do to veer over into
19 what would be the opposite lane of traffic as Mr. Ervin's
20 veered into her lane?

21 I respectfully suggest to you that would not be
22 the right thing to do. Ms. Young tried to get stopped
23 but couldn't through no fault of her own.

24 Whatever you decide as to why Mr. Ervin's came
25 over into that lane whether it was because he was forced

1 over as he said or for some other reason, I suggest to
2 you that has nothing to do with my client. The fact is
3 he came right into the path of her car. She should be
4 held not negligent and I respectfully ask that you answer
5 no.

6 Thank you.

7 MR. STEPHENSON: May I please the Court, Your
8 Honor.

9 THE COURT: Proceed.

10 MR. STEPHENSON: Ladies and gentlemen of the
11 jury, there are certain exhibits that have been admit --
12 admitted into evidence and I'm holding them here --
13 Defendant's Exhibits have been marked BTL in various
14 letters and you'll be having the opportunity to take
15 these back with you and to review these in conjunction
16 with your deliberations.

17 And these are all scaled engineering drawings
18 prepared by -- an engineer including scales drawings of
19 the vehicles and you'll note the scale is at the bottom
20 of -- of the pictures; I just want you to note that. And
21 you'll note the A, B, C, D, -- which are broken down. If
22 you look at the scale section you'll see the letters that
23 -- that you can interpret that. I just bring all that to
24 your attention.

25 And a lot of the pictures don't have any