

IN THIS ISSUE:

EDGE OF PAVEMENT DROP-OFF BBGA attorneys Michael Ruppensburg and Tyler Mathis -- along with Josh Branch of The Law Offices of Joshua W. Branch, resolved a wrongful death road defect case against the Georgia Department of Transportation and the at-fault driver for \$1,400,000. The settlement included \$1,300,000 from GDOT and the at-fault driver's \$100,000 insurance policy limits.

BBGA represented the husband of the deceased, who was killed in an April 3, 2019, wreck caused by a 7–8-inch edge of pavement drop-off (EOPD). Pictures of the drop-off are below.



Michael Ruppensburg

Photos Courtesy of Larry Stanford, Rockdale Citizen

IN THE NEWS:

Read more about the case in the [Daily Report Online](#), [rockdalenewtoncitizen.com](#), or [11alive.com](#).

FOR REFERRING ATTORNEYS:

Scan the QR Code with your phone camera to access important documents from the case such as the complaint, expert affidavit, and the discovery to the GDOT.

Tyler Mathis



SCAN ME

Attorney Evan Jones has been selected to the 2022 list of the Nation's Top One Percent by the National Association of Distinguished Counsel (NADC).

NADC is dedicated to promoting the highest standards of legal ex-

cellence. The organization states on its website that its mission is to objectively recognize attorneys who elevate the standards of the Bar and provide a benchmark for other lawyers to emulate.

Evan Jones is a personal injury attorney at BBGA who focuses primarily on catastrophic injury cases, includ-

[Lee Atkinson](#)
[Amy BeMent](#)
[Tripp Bridges](#)
[Chip Brown](#)
[Kirsten Pickering Charles](#)
[Pam Dillard](#)
[David Dismuke](#)
[Henry Garrard](#)
[Drew Hill](#)
[Thomas Hollingsworth](#)
[Rob Huestis](#)
[Alex Hughes](#)
[Tommy Jeffords](#)
[Evan Jones](#)
[Jim Matthews](#)
[Tyler Mathis](#)
[Leanna Pittard](#)
[Chase Ruffin](#)
[Michael Ruppensburg](#)
[Mary Russell](#)
[Richard Schmidt](#)
[Sara Schramm](#)
[Molly Talley](#)
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Of Counsel

[Gary Blasingame](#)
[Davison Burch](#)
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- [DANGEROUS DRUGS](#)
- [PERSONAL INJURY](#)
- [MEDICAL MALPRACTICE](#)
- [NURSING HOME ABUSE](#)
- [BUSINESS LAW](#)
- [TAX & ESTATE](#)
- [REAL ESTATE](#)

- [SURGICAL MESH](#)
- [TALCUM POWDER](#)
- [IVC FILTERS](#)
- [3M COMBAT EARPLUGS](#)
- [NEC \(INFANT FORMULA\)](#)
- [PARAQUAT](#)
- [EXACTECH](#)
- [OPIOIDS](#)
- [ZANTAC](#)

SOCIAL MEDIA

WEBSITES

- bbga.com
- surgicalmeshhelp.com



Birmingham Office/Southbridge Parkway

Georgia-based law firm Blasingame, Burch, Garrard & Ashley, P.C. (BBGA), which has locations in Athens, Atlanta, and Lake Oconee, has opened a new office in Birmingham, AL.

Attorney Leanna Pittard will practice out of the new office. Leanna specializes in product liability litigation,

specifically medical devices and pharmaceuticals.

With nearly twenty years of experience litigating dangerous products, Leanna is dedicated to keeping defective and dangerous medical products and pharmaceuticals out of the hands of consumers.

BBGA's product liability attorneys

are committed to helping victims in Alabama, Georgia, and across the U.S. who have been injured by defective medical devices or dangerous drugs.

The new BBGA Birmingham office is located at 2100 Southbridge Parkway in Suite 650.

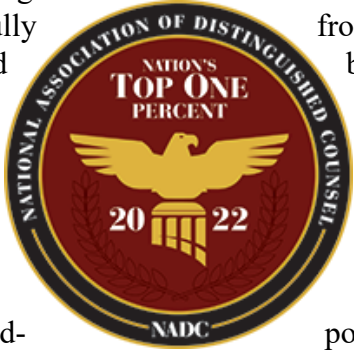
Top One Percent Continued

ing those resulting from medical malpractice and nursing home negligence and/or abuse. Throughout his years in practice, he has successfully obtained substantial settlements and jury verdicts on behalf of his clients, totaling millions.

Alongside co-counsel, Evan was instrumental in obtaining one of the largest nursing home arbitration verdicts in Georgia, to this day.

He has resolved multiple 7-figure medical malpractice settlements across the State of Georgia, one 8-figure settlement, and a \$3.2 million confidential elder abuse settlement.

Evan's exceptional work has earned him recognition



in numerous national publications and accolades from multiple prestigious organizations. Members of NADC are thoroughly vetted by a research team, selected by a blue-ribbon panel of attorneys with podium status from independently neutral organizations, and approved by a judicial review board as exhibiting virtue in the practice of law.

Due to the incredible selectivity of the appointment process, only the top one percent of attorneys in the United States are awarded membership in NADC.

This elite class of advocates consists of the finest leaders of the legal profession from across the nation.

BBGA is pleased to announce the promotion of BBGA attorney Leanna Pittard to shareholder.

Leanna Bankester Pittard is a skilled product liability attorney at BBGA with nearly 20 years of experience. She handles a wide range of case types including civil litigation, defective products, dangerous drugs, and nursing home abuse.

Much of Leanna's practice is focused on cases involving defective or dangerous prod-

ucts. Leanna is passionate about keeping harmful products off shelves and out of the hands of consumers.

Leanna was born in Mobile, Alabama. She obtained her Bachelor of Science from Birmingham-Southern College in 1998 before going on to attend the University of Alabama School of Law. She graduated from law school in 2003, cum laude, with her J.D.

Leanna is admitted to practice law in Georgia, Alabama, and Mississippi. She is a member of Alabama State Bar Leadership Forum (Class of 2017), American Association for Justice, Alabama Association for Justice, and Women En Mass.

She practices out of the newly established BBGA Birmingham, Ala. office.

Caitlyn and a friend were driving home after a night out. A driver crashed into their car, breaking Caitlyn's leg. Even though the other driver didn't have insurance, BBGA secured a \$400,000 settlement through uninsured motorist coverage, which was over three times Caitlyn's medical bills.

The Accident

Caitlyn and her friend were on Rock Chapel Road in DeKalb County, Georgia. Caitlyn's friend was driving, and Caitlyn was riding in the front seat. Another driver was driving on the wrong side of the road and was heading right towards their car. Caitlyn's friend tried to avoid the wreck but didn't have time. The other driver crashed into their car. The friend's car was totaled, and the fire department had to use the jaws of life to cut Caitlyn out.

The Injuries

The wreck broke Caitlyn's femur and one of her ribs. EMS arrived at the scene and took Caitlyn to the hospital. The next day, doctors performed surgery to fix her broken leg. The surgery involved inserting a metal rod and screws into her leg to fix the fracture.

The hospital kept Caitlyn another day, following the surgery, before discharging her. She was in a cast for several weeks and had to use a walker as her leg healed and she regained strength. She walked gingerly and with pain for several months, but she ultimately made a good recovery and is back to her normal activities.

Uninsured Motorist Coverage

The at-fault driver was driving a friend's rental car. Because the

Six BBGA attorneys have been selected to the 2022 Georgia Super Lawyers list. Super Lawyers is a nationally recognized independent rating service that each year selects the top attorneys in every state.

The Super Lawyers list recognizes no more than 5 percent of attorneys in each state and is published nationwide in Super Lawyers Magazine and leading city and regional publications across the country.

BBGA Attorneys Selected Include:

- [Henry Garrard](#)
- [Drew Hill](#)
- [Rob Huestis](#)
- [Evan Jones](#)
- [Jim Matthews](#)
- [Michael Ruppensburg](#)

Super Lawyers, part of Thomson Reuters, rates outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement.

The annual selections are made using a patented multiphase process that includes a statewide survey of lawyers, peer recognition, professional achievement, and an independent research evaluation of candidates.

HENRY GARRARD DREW HILL ROB HUESTIS

EVAN JONES JIM MATTHEWS MICHAEL RUPPENSBURG

Eight attorneys from Blasingame, Burch, Garrard & Ashley, P.C. (BBGA) are included in the 2022 Edition of The Best Lawyers® in America.

BBGA lawyers recognized on The Best Lawyers® in America list include Henry Garrard, Drew Hill, Jim Matthews, Michael Morris, and Michael Ruppensburg. Attorneys Alex Hughes, Haley Robison, and Charles Ruffin are recognized on The Best Lawyers in America: Ones to Watch list.

Best Lawyers® has been publishing its list for more than three decades and is considered the most reliable, unbiased source of legal referrals in the industry.

Broken Leg Continued

other driver was not listed as an authorized driver on the rental car, the rental car insurance did not cover him. He didn't have his own car with an insurance policy that would provide coverage, either. Given that, there was, unfortunately, no liability coverage for this wreck.

Founded in 1981, Best Lawyers® was created to highlight the extraordinary accomplishments of those in the legal field.

Attorneys who make the list are divided by geographic region and practice area.

Each lawyer is reviewed by his or her peers based on professional expertise and undergoes an authentication process to ensure they are currently in practice and in good standing.

Blasingame, Burch, Garrard & Ashley, P.C. (BBGA) has been assisting clients nationwide for nearly 40 years with a wide range of complex legal matters.

BBGA's experienced attorneys

help clients based on their individual needs with a wide range of practice areas including defective medical devices, dangerous drugs, product liability, personal injury, commercial and residential real estate, business representation, trusts and estates, nursing home abuse, and medical malpractice.

Since the firm's founding in 1984, BBGA has remained one of the largest law firms in the Athens region.



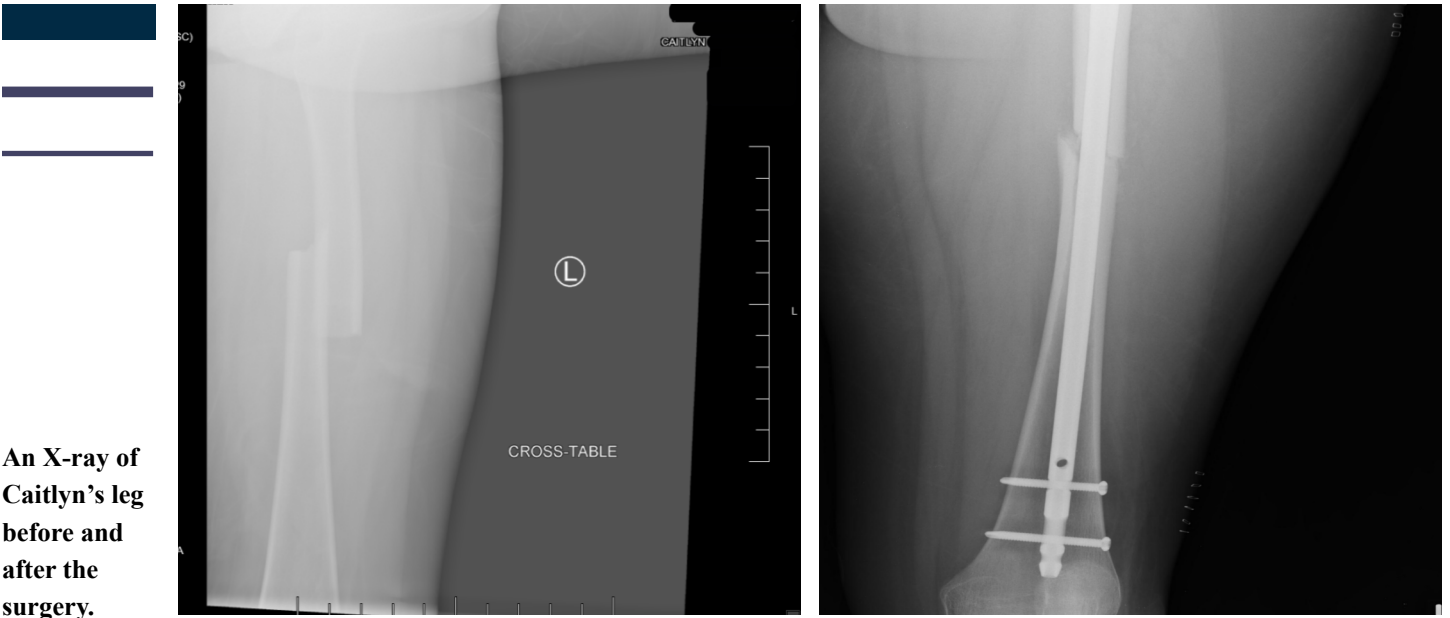
However, Caitlyn's friend had uninsured motorist coverage. Uninsured motorist coverage is insurance that applies if you get into an accident with a driver who doesn't have insurance or doesn't have enough insurance to cover your injuries. Since Caitlyn was a passenger in her friend's car, the uninsured

motorist coverage applied to her.

The Settlement

BBGA Attorney Michael Ruppensburg secured a \$400,000 settlement with the uninsured motorist company.

We're glad that Caitlyn has made a good recovery and that we were able to help her with her case.



An X-ray of Caitlyn's leg before and after the surgery.



When nursing homes and doctors’ offices emphasize profits over patient care, patients suffer. There are multiple recent studies about the effects of private equity investments within the healthcare industry. All seem to have one thing in common – the finding that private equity ownership benefits the investors, often at the expense of quality patient care.

What is Private Equity and How Can it Affect Patient Care?

Private equity is the term used when investors pool money to acquire an ownership interest in a company. Unfortunately, studies suggest that private equity ownership can change the overall goal of a healthcare facility from affordable, quality care to high-profit turn-arounds for investors.

Many times, private equity investing focuses on short-

term, high revenue generation. The focus on revenue generation often means that quality patient care takes a back seat.

“The American Medical Association has noted that private equity limits the autonomy of doctors—interfering with doctor-patient relationships—the core of our healthcare system,” an American Antitrust Institute Report reads.

Nursing homes and doctors’ medical practices have been a target of private equity firms. An estimated 10% of nursing homes in the U.S. are now owned in some way by private equity firms.

Declines in measures of patient well-being in healthcare facilities were observed such as:

A BBGA client and his family are gaining national attention for their tradition that celebrates the Georgia Bulldogs.

Waylan Hitchcock’s sons and nephew began painting Bulldog-related messages on their barn on Highway 15 near Sandersville, Ga. back in 2000, after he suggested it to them.

At first, in a pre-social media universe, it was a way for the boys to express their strong opinions about their favorite SEC football team and how they were playing.

In the beginning, when posting to Twitter or Facebook wasn’t an option, the boys would update their barn message every few weeks. Now that they’re older, they change it up two or three times each season.

ESPN caught wind of the tradition and posted a detailed article about it online.

The most recent painting, one that they’ve been waiting decades to paint, reads “National Champions” in bold, red letters.

The day the barn was

painted, Jan. 12, was the same day BBGA (along with Walkup, Melodia, Kelly & Schoenberg-er) filed Mr. Hitchcock’s lawsuit alleging that his long-term use of Paraquat weed-killer on his farm caused him to develop Parkinson’s Disease.

It has since become a staple for Georgia Football fans as they are traveling south for rivalry games against Florida, or north for home games in Athens – a stop along the way where they can have their photo taken as a memora-

ble keepsake.

So, the Dawgs became national champions on Monday night, they painted the barn white to prep it, and by Wednesday, Jan. 12, the same day Mr. Hitchcock’s lawsuit was filed, it was dry enough to be repainted as a tribute to the Georgia Bulldogs’ win against Alabama.

Mr. Hitchcock says he chalks the timing up to “good luck.”

Make sure to read the full ESPN article to learn more about this BBGA client’s local tradition.



The barn was repainted on January 12, 2022, as a tribute to the Georgia Bulldog’s win against Alabama. Photo courtesy of The Barn Hunter



Waylan Hitchcock poses in front of the barn, which is located on Hwy 15 near Sandersville, Ga.

Private Equity Continued

- The number of nursing staff
- The amount of time nurses and staff spend with each patient
- The use of nurse practitioners instead of doctors
- Lack of training for nurses and other medical staff
- Higher costs for patients
- Predatory billing practices such as surprise medical billing
- An overall lack of compliance with standards of care

All the examples listed above are strategic moves often implemented by private equity managers to cut costs. Unfortunately, the private equity industry lacks transparency and accountability because it is largely unregulated under state or federal law.

The bottom line is that private equity managers are typically focused on the profitability of a medical care facility such as a physician’s office or nursing home – not on the quality of care provided.

IN THE COMMUNITY:

This is BBGA’s 7th year participating in the [Legal Food Frenzy](#). From April 18-29, attorneys and staff donated funds that will go directly to the Food Bank of Northeast Georgia for this year’s event.

“We feel it’s a great way to give back to the community, especially right before summer when the

Food Bank’s need is at its highest,” said BBGA Attorney Kirsten Pickering, who coordinates the event at BBGA each year. “The work the local food bank does is so important to Athens-Clarke County and the surrounding areas. It’s an honor to participate in a drive that makes such a positive and immediate local

impact.”

For every \$1 donated to the Food Bank, it can distribute \$8 worth of groceries to help feed the hungry.

Georgia lawyers have raised over \$2.3 million, the equivalent of more than 9.6 million meals, since the start of the Legal Food Frenzy.



Photos from BBGA’s 2020 and 2021 participation in the Legal Food Frenzy. BBGA has been participating for 7 years.



BBGA Managing Partner Henry Garrard presents a check to Sherry Anderson of the Food Bank of Northeast Georgia in 2021.

BBGA raised \$7,656 for the Food Bank of Northeast Georgia in the Legal Food Frenzy in 2021, which is the equivalent of over 30,000 meals. [In 2020, BBGA raised \\$3,710.75 \(the equivalent of 14,843 meals\) for people in the Athens community.](#) In addition to the 2020 Legal Food Frenzy and in an effort to help the community during the COVID-19 pandemic, attorneys and staff at BBGA also collected and donated an additional \$5,155 through on-line and in-person donations for the Food Bank of Northeast Georgia. The firm presented a check to the Food Bank on April 24, 2021.



Drew Hill

Congratulations to BBGA Attorney Drew Hill, who has been reappointed by Gov. Brian Kemp to the Judicial Nominating Commission for a second term.

COMMUNITY CONTINUED:



Photos by Davis Gabriel

[BBGA Attorney Sara Schramm](#), far right, along with her husband, were recently spotlighted in the local community for their conservation work through the Oconee River Land Trust.

GO BEYOND TEEN PROGRAM

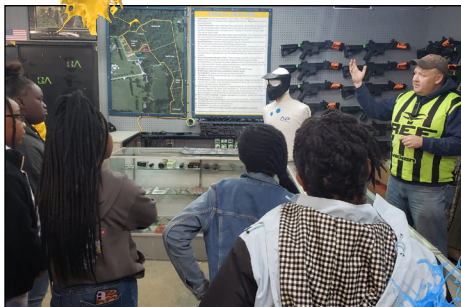


On April 2 ‘Go Beyond’ Teens had the opportunity to go to Treetop Quest Gwinnett for a day of high ropes and zip-lining! Participants pushed their limits to make it across some of the most difficult obstacles. Go Beyond is a collaborative effort between Heard Park , Rocksprings Park, and Lay Park to take 20 local teens on monthly field trips. Blasingame, Burch, Garrard & Ashley, P.C. is honored to support such a great program in the Athens region.

- BBGA supports a number of charitable organizations, including but not limited to:
- [Boys & Girls Club of Athens](#)
 - [Food Bank of Northeast GA](#)
 - [Jr League of Athens](#)
 - [Chess & Community](#)
 - [SANE, Inc.](#)
 - [United Way of NE Athens](#)
 - [Habitat for Humanity](#)
 - [Loran Smith Center for Cancer Support](#)
 - [Samaritan Counseling Center](#)
 - [Muscular Dystrophy Association](#)
 - [Athens Area Child Abuse Prevention](#)
 - [Go Beyond Teen Program](#)

On April 9, the Go Beyond Teen Program went to Athens Paintball and celebrated their final outing of the season at Cali N Tito’s.

Photos Courtesy of the Go Beyond Program



Mass Tort/Defective Product Case Types

Lee Atkinson Henry Garrard Drew Hill Thomas Hollingsworth

Alex Hughes Evan Jones Jim Matthews Tyler Mathis

Leanna Pittard Chase Ruffin Michael Ruppensburg Mary Russell

Sara Schramm Josh Wages

We take cases across
Georgia and the U.S.

Contact

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PERSONAL INJURY AREAS OF PRACTICE INCLUDE, BUT AREN'T LIMITED TO:

DEFECTIVE PRODUCTS
DANGEROUS DRUGS
MEDICAL MALPRACTICE
DENTAL MALPRACTICE
BIRTH INJURIES
CAR ACCIDENTS
TRUCK ACCIDENTS
PEDESTRIAN ACCIDENTS
DOG BITES
UNSAFE ROADS
SLIP & FALL
DROWNING/POOL ACCIDENTS
DAYCARE ABUSE
SEXUAL ASSAULT/PREMISES LIABILITY
NURSING HOME ABUSE & NEGLECT
WRONGFUL DEATH

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