

North Carolina Lawyers Weekly Reports on Recent \$2.6 Million Verdict for Brooks Pierce Client

North Carolina Lawyers Weekly
01.25.2019

North Carolina Lawyers Weekly recently reported on a Brunswick County case in which a jury awarded over \$2.6 million to a pair of landowners that were represented by Brooks Pierce attorneys Brian McMillan, Bob King and Kimberly Marston.

The case addressed the “just compensation” owed to the landowners by the North Carolina Department of Transportation (NCDOT) for land taken in connection with the construction of Interstate 140. NCDOT took 10.9 acres and severed an additional 5.8 acres, depositing a total of \$130,728 as its estimate of just compensation for the land taken and the damage to the remainder. Superior Court Judge Ola Lewis granted the Brooks Pierce team’s motion to combine the two separately-owned tracts of land under North Carolina’s “unity rule” and to consolidate the cases for trial. At trial, NCDOT introduced evidence that the property owners’ damages (after consolidation of the cases) were between \$516,200 and \$577,625. After a four-day trial, including two hours of deliberation, the jury awarded Brooks Pierce’s clients damages totaling more than \$2.6 million. In addition, under state law, the landowners are entitled to interest backdated to when the property was first seized.

“The jury had two questions to answer: what was the land worth before the DOT project, and what was the remainder worth after the project?”, McMillan tells *North Carolina Lawyers Weekly*. “Based on the jury’s verdict, we were able to carry the burden of persuasion on both issues. I think that the weight and credibility of our experts’ testimony on those two issues and our closing statements persuaded the jury to answer those questions in our clients’ favor.”

The full article is available online with a subscription [here](#).

PEOPLE

Robert King III

Kimberly M. Marston

Brian McMillan

SERVICES

Class Action