

Child awarded \$110K following pit bull attack

By: David Donovan December 24, 2014

A three-year-old who was playing in his front yard when he was attacked and bitten by a pit bull will receive \$110,000 in a settlement for his injuries, the boy's attorney reports.



Antoine Thomas Jr. was bitten on the right thigh in April 2013 and sustained 11 deep puncture wounds. His attorney, T. Shawn Howard of Maginnis Law in Raleigh, said Antoine was fortunate that an ambulance unit was responding to a call on the same street at the time of his injury, and EMS personnel were able to quickly come to his aid. Antoine did not suffer any nerve damage, but the scars on his thigh are permanent.

Howard said that the case settled before any depositions were taken, and therefore it wasn't clear how the dog got loose, but the dog had a history of getting loose, and Antoine's father and others in the neighborhood had taken the dog back to its owners on several occasions. The dog initially tried to bite Antoine on the torso before biting his thigh and pulling him off the Big Wheel he was riding. The dog thrashed Antoine several times before Antoine's father ran out into the yard and kicked the dog away.

After the attack, rather than put down the dog, the owner brought the dog back to her house and continued keeping it on the same street where the Thomases lived. The family tried to shield Antoine from the dog, and wound up moving off the street a few months later.

The Thomases own pit bulls themselves, and Antoine does not seem to have any problems playing with the family's dogs or be exhibiting any emotional issues as a result of the attack, Howard said. Antoine's parents told him that the dog that attacked him was in "doggie jail."

The settlement, approved by Wake County Superior Court Judge Paul Gessner on Dec. 8, provides \$103,000 for Antoine and \$7,000 for his mother, Amanda Thomas. Howard said that prior to litigation, the highest offer made by the insurance carrier was \$30,000, but the company increased its offer significantly after the suit was filed and discovery served.

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SETTLEMENT REPORT – PERSONAL INJURY

Injuries alleged: Dog bite

Case name: *Antoine Thomas Jr., a minor appearing by and through his guardian ad litem, Justin R. Apple, and Amanda Thomas v. Shanti P. Stanford*

Case number: 14-CVS-11050

Court: Wake County Superior Court

Judge: Paul Gessner

Date of settlement: Dec. 8

Amount: \$110,000

Most helpful experts: Dr. Glen Lyle, Raleigh Plastic Surgery Center

Attorney for plaintiffs: T. Shawn Howard of Maginnis Law, Raleigh

Attorneys for defendant: Withheld