

\$450,000 Wrongful Death Settlement After Food Delivery Driver Hits Pedestrian

Proving Negligence When Tennessee's Pedestrian Laws Conflict

In Tennessee, [pedestrian accidents](#) are rarely straightforward — especially when multiple laws appear to conflict. That was the challenge in a wrongful death case where a 60-year-old man was killed crossing a busy Nashville street with no marked crosswalks. The driver of a food delivery car struck and killed him, setting off a heated battle over liability.

Our client's family came to us facing a maze of legal hurdles. Under one Tennessee statute, pedestrians in a crosswalk have the right-of-way. Another statute says drivers have the right of way when a pedestrian crosses outside a crosswalk. Then there's a third, broader statute requiring drivers to exercise reasonable care and watch for pedestrians under any circumstances.

The delivery company and its insurer leaned heavily on the first two laws, arguing that because our client wasn't in a marked crosswalk, the driver wasn't at fault. But we knew that wasn't the full story.

Building the Case Through Eyewitness Testimony

One of the biggest challenges in this case was the lack of clear camera footage. In this part of town — a densely traveled, lower-income area — people frequently cross between intersections because there are no nearby crosswalks. To prove liability, we had to get creative.

Our legal team canvassed the area, speaking with employees at local businesses. Two eyewitnesses, who had been standing outside a nearby hair salon, came forward with critical information: they saw the delivery driver looking down at his cell phone moments before the collision.

Their testimony changed everything. Suddenly, the focus shifted from where our client was crossing to how the driver was behaving behind the wheel. It became clear that distracted driving played a major role in this tragedy.

Conflicting Tennessee Pedestrian Laws Create Uncertainty

Different laws address situations where a pedestrian is in a crosswalk, outside a crosswalk, or crossing near intersections, and in many cases, they conflict with one another.

For example, one statute clearly gives pedestrians the right of way in marked crosswalks. Another focuses on unmarked crossings and gives priority to drivers unless the pedestrian is already well into the lane. A third statute introduces additional ambiguity by referencing driver responsibility to avoid collisions, regardless of the pedestrian's location.

When these laws collide, it creates uncertainty for juries and complicates insurance negotiations. Defense attorneys often seize on these conflicting statutes to argue comparative fault, which can reduce or even eliminate the victim's family's recovery.

In this case, the delivery company leaned heavily on these conflicting interpretations to minimize its driver's responsibility. Building a strong liability case required carefully analyzing each statute and showing how the driver's actions failed to meet the basic duty of care owed to pedestrians.

Common Tactics Used by Insurance Companies in Pedestrian Accident Claims

Insurance companies often take an aggressive approach when defending claims involving pedestrian accidents, especially when commercial delivery services are involved. Even in cases where liability seems clear, insurers may attempt to reduce or deny payouts through a range of strategies designed to minimize financial exposure.

One common tactic is shifting blame onto the pedestrian. Adjusters may argue that the victim was distracted, stepped outside a crosswalk, or failed to yield — even when the facts don't support those claims. They may also downplay the severity of injuries or dispute whether certain medical treatments were necessary.

Another frequent strategy involves delaying the claims process. By dragging out investigations and negotiations, insurers hope to pressure families into accepting lower settlements when financial stress mounts. In wrongful death cases, this can be especially cruel, as families are already dealing with overwhelming grief and unexpected expenses.

[Attorney Eric Beasley](#) has spent years countering these tactics. He knows how to gather the right evidence, challenge biased claims, and keep negotiations focused on the facts. In this case, his preparation made it clear that the driver's actions were the direct cause of the tragedy, leading the insurance company to agree to a settlement without trial.

Overcoming Challenges With Valuing the Case

[Wrongful death cases](#) often involve complex calculations, especially when determining the pecuniary value of a life — an estimate of the financial contribution the deceased would have made to their family over time.

Because our client was 60 years old with limited earning capacity, the defense tried to minimize the value of his life. But financial contributions aren't the only measure that matters. The emotional loss suffered by his family — the absence of a father, brother, and friend — was profound and undeniable.

Despite the defense's aggressive attempts to downplay damages, we built a compelling narrative for the jury that honored our client's life and showed the preventable nature of his death.

The Settlement and Its Impact

After months of investigation and negotiations, we secured a [\\$450,000 wrongful death settlement](#) for our client's family. While no amount of compensation can undo the tragedy, this outcome provided financial stability and a sense of justice for those left behind.

More importantly, this case shows the importance of conducting thorough investigations in pedestrian accident cases, especially when liability isn't immediately clear. From locating reluctant eyewitnesses to challenging conflicting state statutes, every detail mattered in reaching this resolution.

Growing Risks From Delivery-Related Pedestrian Accidents

This case also highlights a growing problem in Tennessee and across the country: the rising number of pedestrian accidents involving delivery vehicles. With more drivers on the road trying to meet tight schedules, pedestrians face increased risks, especially in residential areas and busy city streets.

When delivery drivers are distracted, fatigued, or rushing to meet deadlines, the results can be devastating. For attorneys handling these cases, delivery company policies often become a key factor. Many companies place intense pressure on drivers to meet strict time goals, which can lead to unsafe decisions on the road. In this case, those pressures, combined with inattention, created the conditions for a tragic outcome.

Protecting Pedestrians and Demanding Accountability

Pedestrian crashes are on the rise nationwide, and Tennessee's conflicting pedestrian right-of-way laws can make these cases particularly difficult for families seeking justice. Drivers — especially those operating delivery vehicles — have a duty to stay alert, avoid distractions, and watch for anyone crossing the road.

When they fail to do so, the consequences are often devastating. Our work on this case shows the importance of thoroughly investigating every angle and holding negligent drivers accountable, even when the law appears to be stacked against pedestrians.

If your loved one was killed or seriously injured in a pedestrian accident involving a delivery driver, we can help you fight for justice. [Contact us today](#) for a free consultation. There are no upfront or out-of-pocket costs, and since we offer legal representation on a contingency fee basis, you pay nothing unless we win your case.