

\$1.7 million awarded over death

Ex-Alabama Power exec hit man in street

By **ERIN STOCK**
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A Jefferson County jury this week returned a \$1.71 million judgment against former Alabama Power and Southern Nuclear President Joseph Farley, who was sued last year after his vehicle struck and killed a

Southern Research Institute employee delivering mail.

The wrongful death lawsuit was filed in circuit court in April by Gregory Potts' brother, the executor of his estate. Potts, 50, of Woodlawn, was hit Feb. 11 while crossing 22nd Street at Eighth Court South to de-

liver mail from one SRI building to another.

"It was a fair result," said Ben Hogan, the attorney representing Potts' estate.

Jack Bains, an attorney for Farley, said he planned to appeal. "We never anticipated, based on the facts and the evidence, that a verdict would be returned against him, much less one of that nature,"

Bains said.

Farley, who is 82 and has macular degeneration, testified he was driving about 30 mph and did not see Potts until the instant before he struck him, Bains said. Macular degeneration is a condition that gradually destroys sharp, central vision.

Bains argued in court that Potts

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contributed to his own injuries by not using a crosswalk and by crossing the street diagonally rather than straight across.

Attorneys for Potts' estate asked for \$3 million. The jury deliberated four hours before returning the verdict Wednesday.

One of the questions the jury asked was whether Farley continues to drive,

and he testified that he does, Hogan said. Farley most often rides with family, Bains said.

Farley was president of Alabama Power for 20 years. He has been honored for his civic leadership and also served on the board of directors for SRI.

"I wish we would have been able to settle the case and avoid Mr. Farley having this trial because he's a well-known gentleman, and he's well thought of. He's a good man," Hogan said.

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