

Trial Starts in \$1.9 Mil. Lottery Suit

Estranged wife seeks share of man's jackpot; testimony set to begin today.



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WILLIAM CODY, left, talks with his lawyer, Mark Sessums, during jury selection in a civil trial Monday in Bartow. Cody, who won a lottery jackpot, is being sued by his estranged wife, Ida Cody.

By [Jason Geary](#)

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BARTOW | A jury in Polk County is being asked to decide whether a husband and wife who have lived apart for about 26 years should split more than \$1.9 million in lottery winnings.



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Ida Cody listens to testimony during the jury selection phase of her civil trial in court Monday in Bartow. She is suing her estranged husband for a share of his lottery winnings.

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During Monday's opening statements, David Wilson III, who represents Ida Cody, said the case was about "unrequited love and broken promises."

William and Ida Cody were married in 1974 but had separated by 1982.

Despite living in different houses, they continued to have a cordial relationship and went out socially, including to the dog track, where they would split the winnings. They had nine children together.

Wilson said that William Cody borrowed \$20 from his wife on May 5, 2007, so he could play the lottery at Smith's Grocery and Deli in Lake Hamilton.

"Mr. Cody assured her that he would split the monies with her if he won," Wilson said.

Ida Cody's lawsuit claims her husband used the borrowed money to buy a winning lottery ticket worth \$3 million.

William Cody opted to take the jackpot in a lump-sum payment of \$1,939,349.

Instead of paying up, Wilson said, William Cody turned his back on the woman who stood by her husband, even when he was sick, despite his abusive, philandering and drunken ways.

"Up until the time of the lottery winning, they were friends," Wilson said.

"And the day that the lottery was won Ö Mr. Cody decided that they should be enemies."

But Mark Sessums, a lawyer representing William Cody, denied that his client broke an oral contract with his wife or would need to borrow money from her to buy the ticket.

"He was able to run credit at Smith's Grocery store," Sessums said.

"When his checks would come in, he would go and settle up with the proprietors of the store. They considered him one of their best customers."

Sessums said store employees would testify that Ida Cody was not at the store on the day that the lottery ticket was purchased.

Ida Cody was living with another man at the time that the lottery ticket was purchased and has had children with other men since the separation, Sessums said.

"You need to consider whether this case is simply about greed or whether it's unrequited love," he said.

Opening statements are expected to conclude this morning, and testimony will begin.