

VERDICTS & SETTLEMENTS

Woman becomes paraplegic after being rear-ended by van

\$2,955,760 Settlement

At the time of the accident, plaintiff was a 30-year-old mother of three. She was a passenger in a car waiting to turn left when it was struck from behind by a moving van traveling at a high rate of speed. Witnesses testified in deposition that the driver was looking down at paperwork and not paying attention. Questions arose whether the driver was a statutory employee of a larger national moving company.

Plaintiff suffered multiple thoracic fractures at T-4, T-5, T-6, requiring multilevel thoracic fusion with instrumentation using pedicle screws and rods from T1 to T6, resulting in T-6 paraplegia, ASIA-A (complete paralysis from the chest down) and no use of her lower extremities. Plaintiff suffered from a neurogenic bladder, which required an implantation of a bladder stimulator. She further suffered complications of liver damage from medication taken for bladder infections.

Plaintiff has just begun to turn her life around with a new job after spending a



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short time in jail. Her prior work history had been temporary jobs earning minimum wage, and she had an 11th grade education. Plaintiff, at time of settlement, was enrolled in community college.

Defendant had \$1,000,000 primary policy and a \$2,000,000 umbrella policy. [10-T-207]

Type of action: Auto accident - rear-end collision by moving van

Injuries alleged: Paraplegia

Name of case: Confidential

Court: Chesterfield County Circuit Court

Special damages: Medical bills of \$654,829 (with lien for bills paid by Medicaid); life care plan for future costs of \$4,277,564; lost earning claim made of \$15,600 per year based upon last average wage of \$7.50/hr, until plaintiff could be retrained with community college degree for non-manual labor job, at a cost of approximately \$10,000.

Demand: \$6,500,000

Verdict or Settlement: Settlement

Amount: \$2,955,760 (total available coverage)

Attorneys for plaintiff: Charles J. Zauzig III and Claire E. Keena, Woodbridge; Brian H. Jones, Chesterfield

Plaintiff's experts: Richard Bonfiglio MD, physical medicine and rehab; Sharon Reavis RN, life care planner; Peder Malberg, vocational rehabilitation expert