

\$100,000 Award for a Pedestrian Accident

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Christopher L. Musmanno, Esq., Chair of the Personal Injury Department and Certified Civil Trial Attorney with the law firm of Einhorn, Barbarito, Frost & Botwinick, PC in Denville, NJ, announces a \$100,000 settlement for a pedestrian accident.

In June 2016, Plaintiff was walking as a pedestrian, within a crosswalk when the Defendant made a left striking the Plaintiff in the crosswalk.

Plaintiff was transported via ambulance to the hospital and after a battery of diagnostic testing she was diagnosed with a concussion, scalp laceration and abrasions. In addition to staples needed to close the laceration, Plaintiff commenced a course of conservative management, consisting of chiropractic care and physical modalities. She underwent MRI testing of her lumbar and cervical spine which revealed (1) central disc herniation at C3-4 with encroachment of the anterior aspect of the spinal canal; (2) central disc herniation at C4-5 with encroachment of the anterior aspect of the spinal canal; and (3) central disc herniation at C5-6 and was referred to a pain management specialist and a neurosurgeon.

Due to the failure of her injuries to respond to conservative course of treatment, Plaintiff's pain management doctor administered a cervical epidural steroid injection. When the injection failed to alleviate her pain, her treating neurosurgeon recommended surgical intervention. In July 2017, she underwent the following procedures: Anterior cervical discectomy and decompression of the canal at C4-C5; C4-C5 interbody fusion; C4-C5 insertion of a single DePuy prosthetic device; C4-C5 application of anterior cervical Eagle Plus titanium DePuy locking plate; Microdissection of the nerve roots using the operating Zeiss microscope; Interpretation of intraoperative x-rays without the presence of a radiologist.

The case settled for the \$100,000.00 policy limit, prior to the scheduling of a trial.