

# \$100,000 Award for Motor Vehicle Accident

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May 1, 2018

In January 2016, Plaintiff was operating a motor vehicle when the Defendant negligently crossed over a double yellow line and attempted to pass Plaintiff's vehicle on the left as Plaintiff was making a left turn, causing the vehicles to collide.

Initially, Plaintiff did not present to the hospital as she was under the mistaken impression that she was merely suffering from some minor soreness. It soon became evident, however, that her pain was increasing both in terms of severity and frequency with each passing hour and that she required immediate medical attention. As such, hours after the accident, she presented to a chiropractor and immediately commenced a course of chiropractic care consisting of massage therapy, spinal manipulations and electric stimulation. During the course of her treatment, she was referred for a series of diagnostic tests in order to better ascertain the nature and extent of her injuries. Her cervical MRI revealed a broad-based extruded disc herniation at C5-C6. An EMG/NCV report demonstrated evidence of bilateral C5 radiculopathy. When her pain persisted, she was then referred to and underwent a course of physical therapy.

Given the severity of her injuries and failure to respond to the conservative course of treatment, Plaintiff was also referred to a pain management specialist who performed a number of procedures including, a right sided cervical epidural steroid injection; a right sided C3, C4, C5 and C6 medial branch block; and a medial branch block radiofrequency ablation.

When her injections failed to alleviate her pain, she consulted with a neurosurgeon. Plaintiff ultimately underwent C5-C6 anterior cervical discectomy and fusion; C5 resection of osteophytes; C5-C6 placement of interbody prostheses; and C5-C6 anterior spinal instrumentation.

Defendant was insured with a \$25,000.00 policy limit and tendered the \$25,000.00 policy limit prior to the scheduling of a trial.

Plaintiff possessed an insurance policy with their insurance company with a limit of liability for underinsured motorist benefits in the amount of \$100,000.00. The insurance company not grant Longworth in this matter and as such, paid \$25,000.00 to the Plaintiff. Thereafter plaintiff's insurance company tendered the remaining \$75,000.00, prior to the scheduling of a trial. As such, the case settled for a total of \$100,000.00.

Plaintiff was governed by a verbal threshold. No lost wage claim asserted. No defenses with respect to liability or damages.