

\$100,000 Settlement for Motor Vehicle Accident

In January 2017, Plaintiff made a right hand turn onto Route 15, at its intersection with Houses Corner Road, in the Sparta, New Jersey, with a green traffic signal controlling his direction of travel. At the aforesaid time and place, Defendant was traveling on Route 15, at its intersection with Houses Corner Road when Defendant negligently, carelessly, and recklessly operated the aforesaid motor vehicle, by failing make proper observation, take evasive actions and otherwise failed to maintain proper following distance causing him to violently strike the rear of Plaintiff's vehicle. Plaintiff had completed his turn and had traveled approximately 25 feet on Route 15 before the impact.

Immediately after the accident, Plaintiff was transported via ambulance to the hospital. He complained of severe back and neck pain, in addition to right wrist and left knee pain. In response to these complaints, he initially underwent multiple x-ray and CT scans. These did not reveal any fracture but, was diagnosed with a cervical strain, back contusion, and knee and wrist contusion. He was prescribed pain medication and then released. In connection with his neck and back injuries, he presented to a chiropractor and in view of his complaints, Plaintiff immediately commenced a course of conservative treatment consisting of chiropractic care, physical therapy, and acupuncture. During the course of his treatment, he underwent diagnostic testing. As to his cervical spine, the MRI indicated of particular significance, a C3-C4 right foraminal disc herniation causing right foraminal stenosis. The lumbar MRI tests revealed left sub-articular disc herniation at L5-S1 measuring 5x3mm that abuts the traversing left S1 nerve root. Given the nature and severity of his injuries, Plaintiff was referred to an orthopedic who recommended he undergo MRIs of his right and left knee, as well as physical therapy to both knees.

As to his left knee, the MRI indicated a low-grade interstitial tear and sprain of the ACL. As to his right knee, the MRI indicated a bucket-handle tear of the medial meniscus with meniscal tissue flipped into the intercondylar notch and a complete tear of the ACL. In view of these findings, surgery was recommended.

With regard to his cervical injuries, in May 2017, Plaintiff underwent a cervical epidural steroid injection at C4-T1.

With regard to his knees, in September 2017 he underwent arthroscopy of the right knee with partial medial meniscectomy (near complete meniscectomy), major synovectomy throughout the right knee and abrasion chondroplasty of the medial femoral condyle with microdrilling technique, arthroscopic assisted anterior cruciate ligament reconstruction right knee with use of bone tendon bone graft.

With regard to his lumbar injuries, when the course of conservative treatment failed to relieve his pain, he sought treatment with neurosurgeon and was recommended surgery. In June 2018, Plaintiff ultimately underwent L4-5, and S1 for a 3-level central canal decompression, laminectomy, lateral recess decompression, foraminotomy with partial facetectomy; L4-5 and L5-S1 2-level bilateral lateral fusion; L4-5 and L5-S1 bilateral segmental posterior screw instrumentation using DePuy titanium screws and rods; L4-5 and L5-S1 2-level posterior lumbar interbody fusion; L4-5 and L5-S1 insertion of a PEEK prosthetic device, 1 to each interspace for a total of 2 devices; right iliac crest bone graft through a separate right subfascial skin incision; Microdissection of the nerve roots using the operating microscope; Interpretation of intraoperative x-rays without the presence of a radiologist; insertion of Bone Morphogenic Protein Biologic. Plaintiff has followed up post operatively and no additional treatment has been recommended.

On October 24, 2017, the case settled as to Defendant for the \$15,000.00 policy limit, prior to the scheduling of a trial. With consent of Defendant, Plymouth Rock, it was accepted and a UIM claim was made as against Plymouth Rock for the \$85,000.00 net balance for UIM benefits.

The case settled as to Defendant, Plymouth Rock for the available \$85,000.00. As such, the case settled for a total of \$100,000.00 prior to the scheduling of a trial.

No lost wage claim asserted. No defenses with respect to liability or damages.