

\$100,000 Settlement for Motor Vehicle Accident

In December 2015, Plaintiff was operating a motor vehicle when Defendant negligently failed to maintain his lane of travel, failed to maintain proper observations and/or otherwise failed to take evasive action when he crossed over the double yellow line that separated the directions of travel and stuck Plaintiff's vehicle head on at an excessive rate of speed without warning. Plaintiff's airbags deployed on the passenger's side and Plaintiff's head struck the driver's side window as a result of the impact. Plaintiff additionally struck both knees on the dashboard. The force of impact was so severe that Plaintiff was unable to exit her vehicle as she was crushed between the dashboard, driver's seat and middle console. Emergency services personnel were forced to pry open the door. Notably, at the time of the accident, Plaintiff was twelve weeks pregnant.

Following the accident, she presented via ambulance to the hospital. Plaintiff complained of severe pain to her neck, shoulder and knees. An ultrasound confirmed that the baby was unharmed and Plaintiff was discharged with instructions to follow up with a doctor. The following day, she presented to a chiropractor and given the nature of her complaints, she commenced a course of conservative treatment consisting of chiropractic care and physical modalities.

Unfortunately, Plaintiff began to experience complications towards the end of her pregnancy which caused her to temporarily suspend her treatment and had to defer diagnostic testing until after the birth of her child. Shortly after her child was born, she resumed treatment. She was referred for MRI testing to better ascertain the nature and extent of her injuries which revealed a central disc herniation at C5-C6 with encroachment of the anterior aspect of the spinal canal; a central disc herniation at L5-S1 with deformity of the anterior aspect of the dural sac. She continued with her chiropractic treatment and physical therapy until December 2016.

When her pain failed to resolve following her course of conservative treatment, she consulted with a neurosurgeon who ordered a new MRI which showed no changes at the C5-6 level. Her neurosurgeon the referred her to a pain management doctor for a cervical epidural steroid injection. Plaintiff

underwent a cervical epidural steroid injection at C6-C7 which only temporarily improved her pain and then underwent bilateral C3-C6 medial branch facet blocks which did not improve her pain at all.

Given the nature and severity of her injuries and the failure for her pain to resolve with the conservative course of treatment, Plaintiff immediately followed up with her treating neurosurgeon and ultimately underwent C5-C6 interbody arthrodesis and discectomy with decompression of spinal cord and nerve roots; C5-C6 anterior instrumentation; placement of C5-C6 intervertebral peek cage; application of cranial tongs; fluoroscopic guidance for localization; bone marrow harvesting for transplantation; reconstruction of ilium; harvesting of right morselized anterior iliac crest autograft; harvesting of right structural anterior iliac crest autograft; harvesting of local bone autograft; placement of actifuse; use of microscope for microdissection; placement of right iliac crest On-Q local anesthetic catheter.

The case settled against Defendants for their \$15,000.00 policy limit.

Plaintiff possessed an insurance policy with Defendant, Liberty Mutual Insurance Company with a limit of liability for underinsured motorist benefits in the amount of \$100,000.00. The case settled as to Defendant, Liberty Mutual for the remaining \$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.