

\$190,000 Award for Motor Vehicle Accident

In November 2015 Plaintiff was operating a motor vehicle and while fully stopped in traffic, the defendant negligently failed to maintain proper observation, failed to maintain reasonably safe following distance and otherwise failed to take evasive action when he struck Plaintiff's vehicle in the rear in an excessive rate of speed without warning.

Initially, Plaintiff did not present to the hospital because he was under the mistaken impression that he was merely suffering of some minor soreness and that his injuries would quickly resolve. It soon became evident his pain was increasing with each passing day. Two days following the accident, he presented to the hospital and complained of severe radiating pain from his neck and lower back, which was aggravated by movement and bending. He was diagnosed with sprains and strains to his cervical and lumbar spine and was administered pain medication and discharged under the advisement to follow up with specialist. Several days later, he presented to a chiropractor and based on his complaints, he commenced a course of conservative management, consistent with chiropractic care, physical therapy and acupuncture. He thereafter underwent diagnostic testing which revealed central disc herniation at C4-C5 and abnormal findings consistent with C6 and C7 radiculopathy. During the course of his treatment, he consulted with a pain management doctor. Given the severity of his injuries and failure to respond to the conservative course of treatment he underwent two cervical epidural injections.

When the injections failed to alleviate his pain he was recommended for and ultimately underwent surgery. Plaintiff underwent some post-operative follow-up visits with his operating surgeon and was discharged.

Defendants were insured with a \$15,000.00 policy limit and the case settled against Defendants, for the \$15,000.00 policy limit, prior to them retaining counsel and prior to the scheduling of a trial.

Plaintiff possessed an insurance policy with a limit of liability for underinsured motorist benefits in the amount of \$300,000.00 and lawsuit was filed for underinsured motorist coverage. That case settled against the insurance company in the amount of \$175,000.00.

As such, the case settled for a total of \$190,000.00, prior to the scheduling of a trial.

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