

\$190,000 Settlement for Major Shoulder Injury For An Accident Caused by Sleepy Driver

Denville, NJ

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, Denville, NJ, announces a \$190,000 settlement for a rear end accident caused by a sleepy driver. The plaintiff is a 60 year old man who was a passenger in a vehicle he owned but was being operated by another person at the time. The car was stopped at a red traffic light in Jersey City, NJ when it was struck in the rear by a commercial bakery truck in which the driver fell asleep at the wheel because he was working too many hours and had not sleep for approximately 26 hours before the accident occurred. He did not tell the police officer that he was asleep at the time of the accident because he feared losing his job but this information came out during the course of depositions. The plaintiff was taken via ambulance to the hospital for numerous injuries, the most serious of which involved right shoulder surgery which included the use of two double-loaded Stryker anchors and the release of a dislocated biceps tendon as well as debridement of the glenohumeral joint, subacromial decompression, acromioplasty and distal clavicle excision. After discovery in the case was concluded, but prior to trial, the case was settled for \$190,000.00.