

\$200,000 Award for an Automobile Accident

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 in Denville, NJ, announces a \$200,000.00 settlement for an automobile accident.

In July 2016, plaintiff was a passenger in a vehicle fully stopped in traffic and when defendant negligently failed to maintain proper observations, failed to maintain reasonable safe following distance and/or otherwise failed to take evasive action when she struck the plaintiff's vehicle in the rear at an excessive rate of speed without warning. Initially, plaintiff did not present to the hospital but due to the frequency and intensity of pain in his neck and back, sought chiropractic treatment, physical therapy and acupuncture. When the course of conservative treatment failed to relieve his pain, MRIs revealed central disc herniation at C5-C6 with associated encroachment on the anterior aspect of the spinal canal; right paracentral disc herniation at L5-S1 with right lateral recess and neural foraminal stenosis, as well as spinal canal stenosis, confirmed by positive lower extremity EMG/NCV findings for left L5-S1 radiculopathy; and central disc herniation at L4-L5 with associated spinal canal and bilateral neural foraminal stenosis. Due to the chronic nature of plaintiff's pain and the failure to respond to conservative treatment and pain management, he ultimately underwent C5-C6 interbody arthrodesis and discectomy 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 Bacterin OsteoSponge; use of microscope for microdissection and the discectomy; placement of right iliac crest On-Q local anesthetic catheter.

The case settled prior to trial and prior to the retention of defense counsel for the amount of \$200,000.