

# \$200,000 Settlement for Motor Vehicle Accident

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In February 2016 Plaintiff was traveling westbound in the left lane on Route 10 West in Parsippany, New Jersey when the Defendant failed to maintain a reasonably safe following distance and/or otherwise failed to take evasive action when he struck Plaintiff's vehicle in the rear at an excessive rate of speed without warning, while Plaintiff was slowing down for traffic. As contained in the business record of the police report, the responding Police Officer, attributed this accident to Defendant for following Plaintiff too closely.

On the same day of this accident, Plaintiff was taken to the hospital by his wife where he complained of severe pain to his neck and back. He was diagnosed with low back pain and a cervical strain, administered pain medication and discharged with instructions to follow up with a doctor. The following day Plaintiff presented to a chiropractor, and immediately commenced a course of conservative treatment consisting of chiropractic care and physical therapy. In addition, he underwent X-rays which demonstrated mild instability at L4-L5. During the course of his treatment, he was referred to a pain management specialist and was recommended that he undergo MRI testing to better determine the extent of his injuries. In May 2016, Plaintiff underwent cervical and lumbar MRIs which revealed a right-sided disc herniation at C6-C7 with associated encroachment on the neural foramina; a subacute right paracentral disc herniation at L5-S1 with associated compressive deformity of the dural sac and right S1 nerve root and a disc bulge at L4-L5. Plaintiff thereafter continued his course of conservative treatment and in August 2016 underwent a lower extremity EMG/NCV which revealed evidence of left-sided L5-S1 radiculopathy. When the course of conservative treatment failed to alleviate his pain, he underwent a lumbar epidural steroid injection in May 2017. Following his injection, he consulted various neurosurgeons to determine whether he required back surgery. At the request of Plaintiff's PIP insurer, he saw a neurosurgeon who indicated that he had not reached maximum medical improvement and recommended six (6) weeks of physical therapy three (3) times a week, which Defendant. When his pain worsened, Plaintiff, underwent another lumbar epidural steroid injection in November 2017.

The injections failed to fully resolve plaintiff's pain. He immediately followed up with his treating neurosurgeon and was recommended for surgery. In March 2018 he underwent lumbar laminectomy at L4, L5, S1; and L5-S1 discectomy. He followed up postoperatively and in April 2018, he was discharged. No additional treatment was recommended.

Defendants were insured by Plymouth Rock Insurance Company with a \$100,000.00 policy limit. The case settled for the \$100,000.00 policy limit prior to the scheduling of a trial.

Plaintiff possessed an underinsured policy with Defendant, Geico, in the amount of \$500,000.00. In August 2018, the case settled against defendant Geico for \$100,000.00.

As such, this matter settled for a total amount of \$200,000.00, prior to the scheduling of a trial.

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