

# \$240,000 Settlement for Pedestrian Accident

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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 \$240,000.00 settlement for a pedestrian accident resulting in death.

In December 2015, the decedent was attempting to cross a street in Bayonne when he was struck by a vehicle doing an illegal u-turn. As a result of the accident, he sustained an acute left lateral tibial plateau fracture extending laterally to the proximal tibia and medially to the medial tibial plateau. Approximately two weeks after the accident, the decedent was transferred to another hospital for surgery. A procedure was performed to utilize a tibia plate secured by multiple locking screws to remediate the tibial plateau fracture. Unfortunately, post-surgically, the decedent suffered from bradycardia and hypertension while being extubated, suffered cardiac arrest and died.

The decedent's brother was appointed as Executor of his Estate and despite the fact that the decedent was jaywalking at the time of the incident and was not within a crosswalk, and the fact that there were no living dependents such that a pecuniary claim could be established, the case was settled for \$240,000 within four months of the decedent's death.