

\$245,000 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 \$245,000.00 settlement for an automobile accident.

In September 2015, Plaintiff was operating a motor vehicle and was struck when the defendant failed to maintain directional control of his vehicle and/or take evasive actions, crossing over the double yellow line into Plaintiff's lane of travel, and striking the left driver side of Plaintiff's vehicle, seriously injuring Plaintiff. Plaintiff was transported to the hospital via ambulance from the scene of the accident. She subsequently underwent various CT scans and was diagnosed with a cervical strain, abdominal contusions, back pain and a closed head injury.

When her neck and back condition failed to improve, Plaintiff commenced a course of conservative treatment consisting of chiropractic care and acupuncture. When the course of conservative treatment failed to relieve her pain, MRIs were recommended which revealed posterior spondylosis seen in association with a right-sided disc herniation at C3-4 with extrinsic impression upon the dural sleeve as well as upon the exiting right-sided C4 nerve root sleeve; a left-sided disc herniation at C5-6 with left-sided C6 root encroachment and left foraminal narrowing; and posterior spondylosis seen in association with a right paracentral disc herniation at C6-7 with impression upon the dural sleeve and impingement upon the ventral margin of the cervical cord and left foraminal narrowing. Due to the failure of her injuries to respond to conservative treatment, she was recommended to treat with a pain management physician wherein she underwent cervical epidural steroid injections. When the injections failed to alleviate her symptoms Plaintiff underwent C5-6 interbody arthrodesis and discectomy with decompression of spinal cord and nerve roots; C6-7 interbody arthrodesis and discectomy with decompression of spinal cord and nerve roots; C5-6-7 instrumentation; placement of C5-6 intervertebral PEEK cage; placement of C6-7 intervertebral PEEK cage; application of cranial tongs;

fluoroscopic guidance for localization; bone marrow harvesting for transplantation; reconstruction of ilium; harvesting of right morselizing anterior iliac crest autograft; harvesting of right structured anterior iliac crest autograft; harvesting of local bone graft; placement of Actifuse; use of microscope for microdissection and diskectomies; and placement of right anterior iliac crest On-Q local anesthetic catheter.

Defendant possessed a \$100,000.00 insurance policy limit and prior to the retention of defense counsel, the case settled as for the \$100,000.00 policy limit. Additionally, Plaintiff possessed a \$250,000 CSL policy. After Defendant's insurance company tendered its \$100,000 policy limit, the underinsured motorist claim part of the case settled with Defendant's insurance for the amount of \$145,000.00.

As such, the case settled for the total amount of \$245,000.00 prior to a trial being scheduled