

\$245,000 Settlement in Rear End Collision

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 \$245,000 settlement for a rear end collision. In June 2013, plaintiff was stopped for a red traffic light while traveling East on Route 46 at/or near its intersection with Pequannock Street in Dover, New Jersey. At the time, plaintiff was struck in the rear by the defendant's vehicle. The defendant was issued a ticket for careless driving in violation of N.J.S.A. 39:4-97. As a result of the accident, plaintiff sustained two cervical herniated discs. When conservative therapy failed, plaintiff underwent two (2) level anterior cervical discectomy and fusion surgery. There was \$250,000 of available insurance coverage. Prior to the trial, plaintiff settled his case with the underlying tortfeasor for \$95,000 and took another \$150,000 from his underinsured motorist carrier, for a total settlement of \$245,000. Given the additional costs that would be required in plaintiff's case, it did not make economic sense to continue to pursue his case when there was only an additional \$5,000 in available coverage