

# \$250,000 Award for an Accident with a Bus

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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 \$250,000 settlement for an accident with a bus.

In September 2015, Plaintiff was waiting at his usual bus stop with the intention of taking the bus to New York where he worked. When the bus arrived at the stop and its doors were opened, Plaintiff attempted to step onto the bus with his left leg following other people, but as he began to enter the bus, the driver pulled away while the doors were still open and Plaintiff was partially in the bus.

Plaintiff was being pushed along as the bus began to drive forward. The Defendant never looked in the direction of the door while Plaintiff was attempting to enter the bus. As the bus was pulling away and Plaintiff was being pushed along, Plaintiff saw he was going to be pinned between a fire hydrant and the bus in seconds. Plaintiff was trying to free himself by twisting away. Plaintiff and an independent witness were yelling for the bus to stop. Plaintiff was then thrown violently to the ground, landing on his back, followed by his head whipping to the ground. The bus driver stopped after traveling a distance of approximately six (6) feet, whereupon Plaintiff reentered the bus and traveled to New York City because he was under the mistaken impression that he was merely suffering from some minor soreness.

Plaintiff presented to the hospital the evening of the incident where he complained of neck pain and a headache. When his pain failed to resolve, he commenced a course of conservative treatment, consisting of chiropractic care and physical therapy. When the course of conservative treatment failed to relieve his pain, diagnostic tests were recommended which revealed a significant right sided disc herniation at C7-T1 where the disc material according to the radiologist, significantly impresses upon the right margin of the dural sleeve and cervical spinal cord encroaching upon the exiting right sided C8 nerve root sleeve; bulging discs at C4-5 and C5-6; and an abnormal upper extremity EMG

examination indicating right C5-6 radiculopathy and demyelinating and axonal median nerve neuropathy at the wrist consistent with Carpal Tunnel Syndrome. Due to the chronic nature of Plaintiff's pain and the failure to respond to conservative treatment, on March 8, 2017 he ultimately underwent C6-C7 interbody arthrodesis and discectomy with decompression of spinal cord and nerve roots; C6-C7 anterior instrumentation; Placement of C6-C7 intervertebral PEEK cage.

The case settled prior to the scheduling of a trial for \$250,000.00.