

\$270,000 Award for a Motor Vehicle Accident

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 \$270,000 settlement for a motor vehicle accident.

In December 2014 Plaintiff was operating his motor vehicle when he came across a car which was disabled and partially blocking the left lane of travel without illumination and/or warning flares. As Plaintiff approached the disabled vehicle, he was waived down by Defendant. Plaintiff proceeded around Defendant's vehicle, left the roadway in its entirety and parked his vehicle completely on the shoulder between the left guardrail and the left lane fog-line. Thereafter, Plaintiff exited his vehicle as a Good Samaritan in an attempt to offer assistance to defendant.

Immediately prior to his arrival, the vehicle of Defendant came to be disabled as a result of a collision with another car.

While Plaintiff was attempting to render aid to Defendant 1, a vehicle owned by Defendant 2 negligently failed to maintain proper observations, failed to take evasive action and/or otherwise failed to operate her vehicle at a speed consistent with the prevailing road conditions when she struck the rear of the disabled vehicle of Defendant 1 at an excessive rate of speed without warning. This impact propelled the vehicle of Defendant 1 where it struck Plaintiff's body while he was walking as a pedestrian fully within the left shoulder. Thereafter, the vehicle of Defendant 1 continued traveling north and struck Plaintiff's vehicle with immense force. Plaintiff was taken via ambulance to the hospital and immediately underwent a battery of diagnostic testing, including but not limited to CT scans and MRI tests to his head, brain, neck and chest, among other areas.

As a result of this accident, Plaintiff sustained the following injuries:

1. Complex operative repair of left ear avulsion injury, forehead laceration and left neck laceration consisting of, among other things, re-approximation of the neck/left trapezius laceration via extensive irrigation and debridement followed by clamping and tying of veins with 4-0 Vicryl ties, fixation of muscle and fascia tissue with 0 Vicryl sutures, and open wound skin closure utilizing 3-0 nylon sutures;
2. Complex operative repairs of left ear, 14.2 cm, and forehead, 10.7 cm, composed of left ear reconstruction by implanting a ¼ in. Penrose drain into the ear canal followed by left ear re-attachment to the external canal at 12, 6, and 9 o'clock positions to achieve scalp surface alignment via 5-0 nylon sutures along with re-approximation of forehead laceration via 2-0 Vicryl sutures and 4-0 nylon running sutures;
3. Displaced fracture of the left frontal skull bone with pneumocephalus and overlying left fronto-parietal scalp hematoma;
4. Left vertebral artery dissection extending into the distal aspect of the cervical vertebral artery and intracranially with possible occlusion of the proximal aspect of the left intracranial vertebral artery;
5. Left paracentral broad-based disc protrusion at C5-6 with central canal stenosis and moderate bilateral neural foraminal narrowing;
6. Large subcutaneous emphysema in the left upper shoulder region with 4.1 x 2.8 cm focus of hyperdensity within the subjacent edema representing hematoma; and
7. Broken left molar, which will necessitate a root canal procedure.

As such, prior to the scheduling of a trial, the case settled for the total amount of \$270,000.00.