

\$450,000 Award for Motor Vehicle Accident

Denville, NJ

In February 2016, Plaintiff was operating his motor vehicle when the Defendant, operating a commercial tractor trailer, negligently failed to yield to Plaintiff's right of way, failed to maintain proper observations and/or otherwise failed to take evasive action when he disregarded the red traffic light controlling his direction of travel, entered the intersection and struck Plaintiff's vehicle at an excessive rate of speed without warning. The force of the impact was so great that Plaintiff's vehicle was rendered a total loss.

Initially, Plaintiff did not present to the hospital because he was under the mistaken impression that he was merely suffering from some minor soreness and that his injuries will quickly resolve. When his pain increased both in terms of severity and frequency, he immediately sought medical attention with his primary care physician. He complained of pain to his neck as well as shoulders and knees bilaterally and was prescribed with muscle relaxers. He thereafter presented to a chiropractor and he advised the doctor that he was suffering from severe neck pain radiating to his right shoulder which was accompanied by numbness and tingling. As a result, he commenced a course of conservative management consisting of chiropractic care, physical therapy and acupuncture therapy and ultimately underwent several cervical epidural steroid injections.

Additionally, in relation to his knee injuries he was examined by an orthopedic specialist who recommended Plaintiff undergo arthroscopic surgery to his right knee which he underwent. With regard to his shoulder injuries, Plaintiff underwent arthroscopic surgery on his right shoulder for an anterior and posterior tear of the labrum.

With regard to his cervical injuries, when the course of conservative treatment failed to alleviate his pain, he was recommended for and ultimately underwent multilevel cervical discectomy and fusion surgery after which he was required to wear an external bone growth stimulator for three (3) to nine

(9) months, twenty-four hours a day, seven days a week.

The case settled for \$450,000.00 prior to the scheduling of a trial.

Defendants had an argument with respect to causality because of Plaintiff's gap of treatment leading to his cervical discectomy and fusion surgery.

No defenses with respect to liability or damages. No lost wage claim asserted.