

\$475,000 Award for a Slip and Fall 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 \$475,000 settlement for a slip and fall.

In April 2015, Plaintiff, while in the course of his employment, backed his vehicle into his usual and customary parking space in the second row of the rear employee parking lot. Plaintiff exited his vehicle then slipped and fell on black ice while in the process of closing his driver-side door. Plaintiff's legs came out from under him and he landed violently on his neck and left shoulder, experiencing immediate pain.

Plaintiff did not observe any snow removal/salting efforts when he left work the previous day or upon arrival the following morning prior to his injury.

Plaintiff did not immediately present for medical treatment after this incident, believing his soreness would resolve on its own. Plaintiff underwent chiropractic treatment for approximately three months with no improvement to his condition.

In September 2015, Plaintiff presented to his primary care physician who recommended he consult an orthopedist and to undergo MRI testing to his lumbar spine and left shoulder.

Plaintiff demonstrated left shoulder pain, loss in range of motion, and weakness and was recommended surgical intervention which was performed in November 2015. Plaintiff was required to undergo extensive post-operative physical therapy for his left shoulder, wear a sling and sleep upright in a recliner for an extended duration of time during recovery.

Additionally, plaintiff suffered from left ankle pain and instability; he was recommended to wear modified shoes for additional support.

As for the treatment to his spine, Plaintiff was suffering from persistent pain radiating throughout his upper and lower extremities with associated numbness and tingling. He was recommended to undergo a trial of cervical epidural steroid injections followed by physical therapy but was unresponsive and was thereafter recommended for anterior cervical discectomy and fusion surgery at C5-6 and C6-7; surgery was performed in March 2016.

Plaintiff was outfitted with a cervical collar and he was directed to participate in post-operative physical therapy. Additionally, he began treatment to his lower back and underwent a lumbar spine MRI test and a lower extremity EMG/NCV which revealed evidence consistent with mild sensory motor peripheral neuropathy requiring Plaintiff to undergo a trial of lumbar epidural steroid injections coupled with additional courses of physical therapy to his cervical spine and lumbar spine.

The case settled at mediation for the amount of \$475,000.00.