

Christopher L. Musmanno Quoted in New Jersey Law Journal Article Regarding \$1.15M Settlement

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A Whippany family whose vehicle was struck by a state-owned vehicle was paid a \$1.15 million settlement in its Morris County suit in September.

On July 19, 2017, at approximately 2:38 p.m., Richard Bahnsen, then 58 and currently 60, was operating a Chevy Van Express G 15 while traveling with the right of way in the center lane on Route 15 South near a New Jersey Department of Transportation garage and maintenance yard in Rockaway Township, according to the family's lawyer, [Christopher L. Musmanno](#) of Einhorn, Barbarito, Frost & Botwinick in Denville.

His son, Daniel Bahnsen, then 21 years old, was a passenger. A Ford commercial truck owned by the New Jersey Department of Treasury and operated by Daryl K. Frank was attempting to enter Route 15 South from the maintenance yard parking lot, according to the police report and Musmanno.

The suit claimed Frank negligently failed to yield, maintain proper observations, or take evasive action when he crossed over two lanes of travel, striking the front passenger side of the Bahnsen vehicle, which then struck a guardrail to the left, according to the police report.

Richard Bahnsen was extricated from the vehicle affixed to a backboard with a cervical collar applied to his neck, according to his attorney. His vehicle was totaled.

“He had a crushed chest and other issues,” Musmanno said by phone. “He had four fractured ribs and broken teeth. Dentists did not want to treat him at all. ... His inpatient recovery was complicated. Once he came out of inpatient care, he did not get a whole lot of outpatient therapy care.”

Musmanno added, “Richard did not get treated to the extent he needed after the initial injury because he had a very limited PIP [personal injury protection] policy and Medicaid, which did not really cover much.”

“I think it was fair,” Musmanno said of the settlement. “We had to pay a small Medicaid lien of about \$5,000. ... Unfortunately, we can’t give Richard new body parts, but we can make him whole again to the extent that money can accomplish that.”

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