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SEPTEMBER 18, 2006

Vol. 9, No. 38

SETTLEMENT RESULT: \$100,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Driver injured in broadside collision

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Broadside

LOS ANGELES COUNTY SUPERIOR COURT

Ball v. Bring, No. PC012517Z, San Fernando.
Settlement date: 9/26/1994.

SETTLEMENT RESULT: \$100,000

COUNSEL

**Plaintiff: Scott J. Corwin, Law Offices of Scott J. Corwin,
Los Angeles.**

Defendant: Angela Brown, Bodkin, McCarthy, Sergeant & Smith, Los Angeles.

FACTS/CONTENTIONS

According to plaintiff: On July 9, 1993, plaintiff Ball, a 40-year-old teacher, was involved in an automobile accident in which defendant Bring struck plaintiff's vehicle in a broadside collision.

Plaintiff alleged that the negligent and illegal operation of a motor vehicle by defendant was the sole, legal cause of the subject collision and all injuries claimed.

Defendant contended that the two vehicles collided after plaintiff negligently changed her mind and proceeded forward after indicating that she was turning right and entered into the path of defendant, who was making a left turn. Defendant disputed liability as well as the nature and extent of plaintiff's injury claims. Defendant also contended plaintiff's injuries were pre-existing.

CLAIMED INJURIES

According to plaintiff: Exacerbation of post-right endoscopic carpal tunnel release, that is, right thoracic outlet syndrome and right radial tunnel syndrome requiring physical therapy. Plaintiff's spouse claimed loss of consortium.

CLAIMED DAMAGES

According to plaintiff: \$27,540 past medical; \$35,636 lost income; \$5,000 property damage to plaintiff's vehicle.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff claimed her demand was for the policy limits of \$100,000. Defendant initially offered \$20,000, increased to \$35,000. Defendant contended plaintiff made a CCP § 998 demand in the amount of \$125,000 and plaintiff's spouse made a CCP § 998 demand in the amount of \$15,000.

The case was mediated before Judge Jack Tenner (Ret.) in 1994, at which time defendant offered \$35,000 in response to plaintiff's reduced \$100,000 demand. Judge Tenner immediately terminated the mediation and advised defense counsel he would personally call the trial judge to let him know that the defense was not interested in settlement. The parties left the mediation without resolution, but several months later defendant increased its offer to the \$100,000 demanded by plaintiff at the mediation and the case settled.

EXPERTS

None.

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