

# TRIALS DIGEST®

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October 29, 2012

**SETTLEMENT RESULT: \$100,000**

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## MOTOR VEHICLE

**43 TD 15TH 25**

**Driver rear-ended in Santa Monica  
settles for \$100K**

### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/Intersection

### NO COURT/UNFILED SETTLEMENT

Wainio v. Rovin, Docket number: Not reported. Judge:  
Not reported. Trial type: Settlement. Settlement date:  
7/31/2012.

### SETTLEMENT: \$100,000

PLAINTIFF DEMANDED DEFENDANT'S \$100,000 POLICY

### COUNSEL

Plaintiff: Scott J. Corwin, Law Offices of Scott J.  
Corwin, Los Angeles.  
Defendant: None.

### FACTS/CONTENTIONS

According to plaintiff: On Dec. 23, 2011, plaintiff Elizabeth Wainio, a 32-year-old surgical assistant, was driving a 2002 Lexus LS430 south on Bundy Avenue and stopped at a red light at the intersection of Airport Avenue in Santa Monica, Calif. Defendant Sasaha Rovin, who was driving an Audi SUV south on Bundy Avenue, reportedly rear-ended plaintiff's vehicle.

Plaintiff alleged defendant's negligence in the operation of her vehicle caused plaintiff's injuries. Defendant accepted liability but disputed the nature and extent of the claimed injuries. Plaintiff had a prior cervical spine disc injury in 2007 and defendant contended the prior injury was the source of all of plaintiff's current complaints. Defendant further contended that plaintiff did not require surgery.

### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical and lumbar strains and sprains, which were treated with physical therapy. Plaintiff's cervical MRI revealed a 4-mm C6-C7 disc protrusion compressing the anterior thecal sac. Due to ongoing cervical pain, plaintiff underwent three cervical spine epidural injections. Plaintiff is a candidate for surgery in the form of a laminectomy, discectomy and a three level fusion at C4-C5 and C6-C7.

### CLAIMED DAMAGES

According to plaintiff: \$25,327 past medical; \$75,000 future medical.

### SETTLEMENT DISCUSSIONS

Not Reported.

### EXPERTS

None.

### COMMENTS

According to plaintiff: The insurance carrier was Farmers Insurance; the adjuster was Stacey Ware.

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