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SETTLEMENT RESULT: \$245,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Driver sustains injuries when her vehicle is rear-ended by truck while stopped at red light

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/Parked/Stalled/Stopped Vehicle/Chain Reaction Collision/Truck

VICARIOUS LIABILITY

LOS ANGELES COUNTY SUPERIOR COURT

Ward v. Sorto, Docket number: BC351723, Downtown.
Judge: Maureen D. Lewis. Trial type: Settlement.
Settlement date: 2/26/2007.

SETTLEMENT: \$245,000

COUNSEL

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

Defendant: Steven D. Levine, Law Offices of Marsha Munemura, Glendale.

FACTS/CONTENTIONS

According to plaintiff: On May 15, 2004, plaintiff Loris Ward was operating her 1985 BMW 170 sedan westbound on David Avenue in Los Angeles. While stopped at the red traffic signal at La Cienega Boulevard, suddenly and without warning, plaintiff's vehicle was struck in the rear by defendant Louis Luskin & Sons Inc.'s large truck, which was operated by defendant Jose Sorto. The impact forced her vehicle into the rear of the vehicle in front of her.

Defendants did not dispute liability.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical, thoracic, and lumbar strain and sprain injuries that were treated conservatively by physical therapy and chiropractic adjustments over a four-month period. Therapy relieved some symptoms. The chiropractor advised plaintiff she could not help her further with her mid-back pain. Because of ongoing pain, plaintiff consulted an orthopedist who prescribed a thoracic spine MRI. The MRI revealed a T7-T8 posterior left paracentral 6 mm thoracic disc herniation, with mild cord impingement. The orthopedist prescribed additional physical therapy and strengthening exercises in addition to medications which provided minimal relief. The orthopedist advised plaintiff that she would require a thoracic laminectomy and discectomy surgery in the future. Plaintiff elected not to have surgery at this time.

CLAIMED DAMAGES

According to plaintiff: \$14,615 past medical; \$50,000 future medical; \$11,960 future income.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff initially demanded \$475,000; defendants initially offered \$40,000. Subsequent to the filing and service of a lawsuit, discovery, and an IME, defendants increased their offer to \$100,000 and plaintiff lowered her demand to \$140,000.

The case was mediated before Jeffrey Krivis, Esq., who facilitated the \$245,000 settlement.

EXPERTS

Plaintiff: None.

Defendant: Arthur Kreitenberg, M.D., orthopedic surgeon/neurologist, Center for Orthopedic & Sports Excellence, Los Angeles (310) 659-3400.

COMMENTS

According to plaintiff: The complaint was filed on May 2, 2006.

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