

# TRIALS DIGEST®

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

## VEHICLE NEGLIGENCE

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### Freeway collision in stop-and-go traffic results in back injuries

#### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/Interstate/Freeway/Chain Reaction Collision

#### LOS ANGELES COUNTY SUPERIOR COURT

*Diaz v. Custom Window Design*, Docket number: BC381719, Downtown. Judge: Kenneth R. Freeman. Trial type: Settlement. Settlement date: 7/16/2008.

**SETTLEMENT: \$100,000**

#### COUNSEL

**Plaintiff: Scott J. Corwin, A Professional Law Corporation, Los Angeles.**

Defendant: Marc Lafer, Law Offices of Lydia Bouzaglou-Newcomb, Orange.

#### FACTS/CONTENTIONS

According to plaintiff: On July 14, 2006, plaintiff David Diaz, a 45-year-old Los Angeles County Department of Social Services employee, was operating a 1999 Honda Civic east on the 60 freeway just before the Montebello exit in Los Angeles County, driving in the number two of four lanes in stop-and-go traffic. Traffic came to a stop and defendant, who was also eastbound on the 60 freeway in the number two lane in his Ford F-250 pickup truck, rear-ended plaintiff, pushing plaintiff's vehicle into the car in front of plaintiff.

Defendant accepted liability.

#### CLAIMED INJURIES

According to plaintiff: Cervical, thoracic, and lumbar strain and sprain injuries that were treated conservatively by physical therapy.

Plaintiff had both lumbar and cervical MRI studies. The lumbar spine MRI revealed there was a posterior 2-mm disc bulge at L5-S1. The cervical spine MRI revealed a 3-mm disc protrusion at C3-C4.

#### CLAIMED DAMAGES

According to plaintiff: \$18,434 medical expenses.

#### SETTLEMENT DISCUSSIONS

Not reported.

#### EXPERTS

Plaintiff: None.

Defendant: Michael P. Weinstein, M.D., orthopedic surgeon, Newport Beach (949) 759-3600.

#### COMMENTS

According to plaintiff: The complaint was filed on December 4, 2007.

The insurance carrier was Safeco Insurance Company.

Trials Digest, a Thomson Reuters business, 425 Market Street, 4th Floor, San Francisco, CA 94105  
415-344-6000 (ph) 415-344-4950 (fax) [trialsdigest@thomson.com](mailto:trialsdigest@thomson.com) [west.thomson.com/trialsdigest/](http://west.thomson.com/trialsdigest/)