

# TRIALS DIGEST®

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**SETTLEMENT RESULT: \$175,000**

## VEHICLE NEGLIGENCE

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### **Pedestrian struck in crosswalk sustains knee, back injuries**

#### **VEHICLE NEGLIGENCE**

Pedestrian/Crosswalk/Left Turn/Intersection

#### **LOS ANGELES COUNTY SUPERIOR COURT**

*Parker v. Allen*, Docket number: SC099176, Santa Monica.  
Judge: Not reported. Trial type: Settlement. Settlement date: 2/15/2009.

**SETTLEMENT: \$175,000**

#### **COUNSEL**

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

Defendant: None.

#### **FACTS/CONTENTIONS**

According to plaintiff: On June 28, 2007, plaintiff Walter Webb as walking south in the crosswalk on 28th Street at the intersection of Ocean Park Boulevard in Santa Monica. Defendant Allen was driving a 2003 Volkswagen Jetta north on 28th Street and made a left turn and hit plaintiff while plaintiff was in the crosswalk.

Defendant accepted liability but disputed the nature of plaintiff's claimed injuries, including the need for future knee surgery and the need for future lumbar spine epidural injections.

#### **CLAIMED INJURIES**

According to plaintiff: Plaintiff sustained a comminuted tibial plateau fracture of the left knee, requiring limited physical therapy. Plaintiff's orthopedist advised plaintiff that he may require a left total knee replacement surgery in the future. Plaintiff also sustained cervical, thoracic,

and lumbar strain and sprain injuries that were treated conservatively by physical therapy. Because of ongoing pain, plaintiff's orthopedist prescribed a lumbar spine MRI, which revealed a 3 mm disc protrusion at L4-L5 with mild foraminal stenosis, and at the L5-S1 level a 3 mm disc protrusion extending laterally into the left neural foramen. Plaintiff was advised he may require a series of lumbar epidural injections for the lumbar spine pathology in the future.

#### **CLAIMED DAMAGES**

According to plaintiff: \$19,858 past medical; \$65,000 future medical.

#### **SETTLEMENT DISCUSSIONS**

Not reported.

#### **EXPERTS**

None.

#### **COMMENTS**

According to plaintiff: The insurance carrier was Nationwide Mutual Insurance Company; the adjuster was Monica Marshall.

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