

TRIALS DIGEST®

THE COMPREHENSIVE SOURCE FOR CALIFORNIA CIVIL TRIAL RESULTS

DECEMBER 6, 2010

Vol. 13, No. 48

SETTLEMENT RESULT: \$250,000

VEHICLE NEGLIGENCE

48 TD 13TH 27

Motorcyclist injured when vehicle changes lanes in his path

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Motorcycle/Lane Change

NO COURT/UNFILED SETTLEMENT

Wallace v. Lancaster, Trial type: Settlement. Settlement date: 11/27/2009.

SETTLEMENT: \$250,000

Plaintiff demanded and defendant tendered his \$250,000 policy limits.

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: Plaintiff David Wallace, a 51-year-old safety inspector, was operating his 2008 Yamaha motorcycle eastbound on Pico Boulevard in the #1 of 2 lanes in West Los Angeles, when defendant Lancaster, who was eastbound on Pico Boulevard in a 1993 Jeep Cherokee in the #2 lane, changed into the #1 lane, causing an impact with plaintiff's motorcycle and ejecting plaintiff from his motorcycle.

Plaintiff alleged that defendant third-party driver was negligent in the operation of a motor vehicle and that all of plaintiff's claimed injuries were a direct result of the subject motor vehicle accident.

Defendant initially disputed liability. Defendant also disputed the nature and extent of plaintiff's claimed injuries.

CLAIMED INJURIES

According to plaintiff: Plaintiff suffered injury to his neck, back, right shoulder, and right elbow. He sustained a right shoulder rotator cuff tear, requiring surgical repair.

CLAIMED DAMAGES

According to plaintiff: \$43,410 past medical; \$0 future medical; \$0 loss of earnings.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurance carrier was Mercury Insurance; the adjuster was Sam Vissessmith.

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 west.thomson.com/trialsdigest/