

TRIALS DIGEST[®]

THE COMPREHENSIVE SOURCE FOR CALIFORNIA CIVIL TRIAL RESULTS

NOVEMBER 29, 2010

Vol. 13, No. 47

SETTLEMENT RESULT: \$312,000

VEHICLE NEGLIGENCE

47 TD 13TH 27

Rear-ended motorcyclist sustains knee injury

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Motorcycle/Rear-End/Parked/Stalled/Stopped Vehicle

NO COURT/UNFILED SETTLEMENT

Gold v. Britton, Trial type: Settlement. Settlement date: 4/15/2010.

SETTLEMENT: \$312,000

Plaintiff demanded and defendant tendered his \$300,000 insurance policy limits. Defendant also contributed \$12,000 towards an "above policy limits" settlement. Defendant was a retired 94-year-old man with no assets other than his small home and a \$20,000 bank account.

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On January 25, 2010, plaintiff Jay Gold, a 50-year-old academic college counselor, was operating his 2006 Suzuki motorcycle north on Chatsworth Drive and was stopped for a red light. Defendant Britton, a 94-year-old man, who was northbound on Chatsworth in his 1984 Cadillac, rear-ended plaintiff's motorcycle, ejecting plaintiff from the motorcycle and causing him to strike the ground and suffer injuries.

CLAIMED INJURIES

According to plaintiff: As a direct result of the collision, plaintiff suffered injuries to his neck and back, a comminuted complex severe right tibial plateau fracture and proxi-

mal tibia fracture. Plaintiff was hospitalized for approximately one week and underwent surgery to his right knee, including right knee arthrotomy and fasciotomy and an open reduction and internal fixation of the comminuted right tibial plateau fracture. Plaintiff was advised he may require a right total knee replacement surgery in the future as a direct result of the subject accident.

CLAIMED DAMAGES

According to plaintiff: \$178,667 medical specials.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurer carrier was GEICO. The insurance adjustor was Sharlynn Polite.

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/