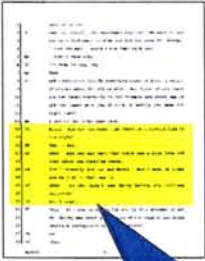


Harvey v. Argent

December 8, 2002 Accident



Scene Photo 1

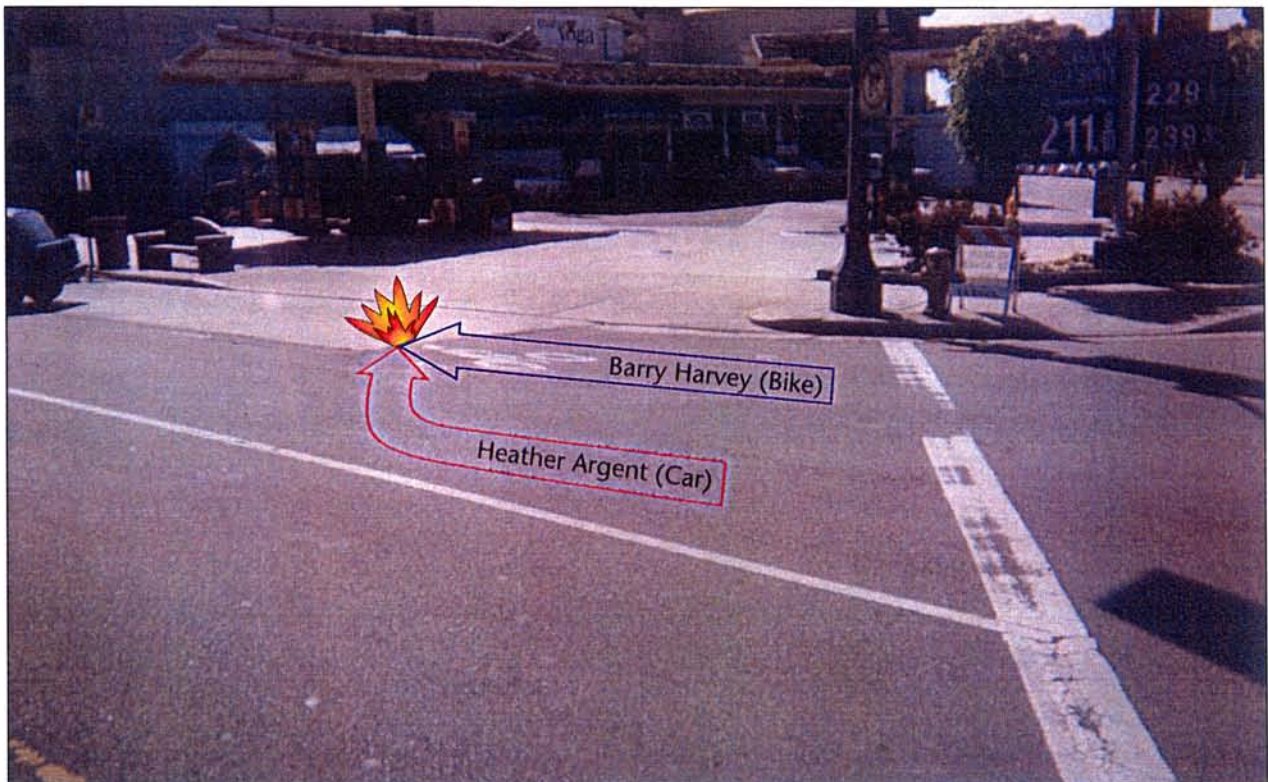


Interview of Defendant Heather Argent, May 9, 2003

- Q: Right. And are you aware that there is a bicycle lane to the right?
- A: Yes, I was.
- Q: Okay. And you had seen that there was a bike lane and that there was markings there.
- A: And I honestly did not see Barry. And I made my right and he just – that was it.
- Q: Okay. So you didn't see Barry before the collision occurred?
- A: No, I didn't.

Statement of Witness Paul Ong, Feb. 28, 2003

8. Please describe fully and in detail what you personally observed regarding this accident.
I was in the bike lane. Car sped past me and then quickly turned toward the entrance of a gas station. In doing so, it crossed over into the bike lane and made contact with the biker w/ right-front part of the car
9. In your opinion, who caused the accident?
Driver of the car
10. Why?
Biker had the right of way in the bike lane



Scene Photo 2

Barry Harvey's Damages

December 8, 2002 Accident

Injuries

- Oblique tear anterior horn lateral meniscus
- Focal non-displaced fracture peripheral anterior medial tibial plateau
- Grade I tear anterior medial collateral ligament

Past Medical Special Damages

■ Parkview Imaging	\$1,342
■ Stephen P. Kay, M.D.	\$750
■ Robert C. Klapper, M.D.	\$150

Total: **\$2,242**

Future Medical Special Damages

■ Right knee arthroscopy and lateral meniscectomy	\$23,000
■ Right total knee replacement	\$63,500

Total: **\$86,500**

Total Economic Damages:

\$88,742

Residuals

- Surgery for right knee required (arthroscopy and lateral meniscectomy)
- Future surgery for right knee required (total knee replacement)
- Constant right knee pain
- Pain limits right knee motion
- Pain substantially impairs personal and recreational activities
- Pain substantially impairs sleep
- Pain impairs bike riding (Barry Harvey is a former cycling champion)