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SETTLEMENT RESULT: \$105,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Driver injured when second driver changes lanes and strikes his vehicle

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Lane Change/
Chain Reaction Collision

No COURT/UNFILED SETTLEMENT

Benedetti v. Moglovkin. Settlement date: 7/31/2003.

SETTLEMENT RESULT: \$105,000

COUNSEL

**Plaintiff: Scott J. Corwin, Law Offices of Scott J. Corwin,
Los Angeles.**

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On April 8, 2003, plaintiff Benedetti, a 68-year-old artist, was traveling eastbound on Santa Monica Boulevard in the number two of two lanes. Defendant Moglovkin, who was also eastbound on Santa Monica Boulevard in the number one lane, suddenly changed lanes into plaintiff's lane and hit plaintiff's vehicle, causing it to spin out of control and hit another vehicle.

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

Defendant disputed the nature and extent of plaintiff's claimed injuries and the need for future surgery. Defendant further contended that plaintiff had a long history of prior lower back problems and had an MRI three years previously that demonstrated disk protrusions at several levels.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical and lumbar strain and sprain injuries, which required physical therapy. MRI studies revealed disk A protrusion at L1-L2, measuring 4 to 5 mm. Plaintiff may need future surgical intervention in the form of a laminectomy and diskectomy.

CLAIMED DAMAGES

According to plaintiff: \$8,983 past medical; \$45,000 future medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded, and defendant tendered, her \$15,000 policy limits within 48 hours of plaintiff's demand. Plaintiff then presented an underinsured motorist claim to her own carrier and demanded the available \$85,000 in policy limits, which was tendered within three weeks of the demand. Plaintiff also collected an additional \$5,000 in medical payments coverage from her uninsured motorist carrier.

EXPERTS

None.

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