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SETTLEMENT RESULT: \$71,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Passenger in van injured in rollover accident

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Head-On/Rollover/
Lane Change

No COURT/UNFILED SETTLEMENT

Fearing v. Brown. Settlement date: 3/2/2006.

SETTLEMENT RESULT: \$71,000

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On October 9, 2005, plaintiff Jonathan Fearing, a 28-year-old shipping manager, was a passenger in defendant Jamal Brown's 2003 Ford van, along with another female passenger. They were traveling eastbound on the 210 freeway in the number five lane of the six-lane roadway in Pasadena, when defendant made an unsafe lane change and collided with a vehicle traveling eastbound in the number four lane. After the impact, defendant lost control of his vehicle and rolled the vehicle.

Plaintiff alleged defendant was negligent in the operation of a motor vehicle and that all of his claimed injuries were a direct result of the trauma he sustained in the accident.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained a small cut on his forehead; multiple contusions and abrasions; partial deltoid ligament tear of the left ankle; cervical & lumbar strain and sprain, requiring physical therapy.

CLAIMED DAMAGES

According to plaintiff: \$14,674 past medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: The other female passenger had her left leg amputated below the knee. She demanded defendant's \$1 million combined single limits insurance policy, claiming that she deserved all of the \$1 million policy limits as a result of her serious injuries and that plaintiff Fearing had essentially only minor soft tissue injuries and should receive little or nothing out of the single limit insurance policy. Defendant insurer tendered its \$1 million policy limits to all plaintiffs. The settlement negotiations were actually between plaintiff Fearing and the female passenger amputee. Plaintiff demanded \$100,000 out of the \$1 million combined single limit policy. They ultimately reached an agreement wherein the female passenger received \$925,000. Plaintiff Fearing received \$71,000, and the owner of the other vehicle involved in the accident received \$4,000 for his property damages.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurance company was National Continental Insurance; the adjuster was Cort Chambers.