

# TRIALS DIGEST®

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**SETTLEMENT RESULT: \$100,000**

## VEHICLE NEGLIGENCE

24 TD 10TH 30

### SETTLEMENT — Driver injured in collision with car that pulled out in front of her

#### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Left Turn/Right-of-Way/Intersection

#### NO COURT/UNFILED SETTLEMENT

*Rodriguez v. Bernstorff*, Docket number: Not reported. Judge: Not reported. Trial type: Settlement. Settlement date: 5/11/2007.

**SETTLEMENT: \$100,000**

#### COUNSEL

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

Defendant: Confidential.

#### FACTS/CONTENTIONS

According to plaintiff: On March 20, 2007, plaintiff Alejandra Rodriguez, a 19-year-old college student, was operating a 1993 Toyota Camry northbound in the number 2 lane on Mason Avenue at its intersection with Valerio Street in Winnetka, California. Defendant Marianne Bernstorff, age 79, was traveling southbound in the number 1 of 2 lanes on Mason Avenue in her 2003 Honda Civic. Defendant stopped at the intersection, then suddenly darted out and tried to complete a left turn in front of plaintiff. Plaintiff braked hard and honked her horn, but was unable to avoid the collision. Plaintiff was treated at the scene by paramedics and transported to the emergency room.

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

Defendants Eric and Marianne Bernstorff accepted liability, but disputed the nature and extent of plaintiff's claimed injuries.

#### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained a fracture of her right arm, requiring surgery in the form of an open reduction and internal fixation with plate and screws. Plaintiff also suffered a severe laceration of the volar aspect of her right third finger, requiring sutures. Plaintiff also sustained right long finger distal phalanx extra-articular fracture, resulting in bony mallet finger. Plaintiff will undergo additional surgeries to remove the plate and screws as well as to correct the deformity of her finger.

#### CLAIMED DAMAGES

According to plaintiff: \$5,379 past medical; \$54,000 future medical.

#### SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded and defendants' carrier tendered the \$100,000 policy.

#### EXPERTS

None.

#### COMMENTS

According to plaintiff: The insurance carrier was State Farm Mutual Automobile Insurance Company; the adjuster was Lisa K. Sweeney.

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