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SETTLEMENT RESULT: \$144,500

VEHICLE NEGLIGENCE

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SETTLEMENT—Driver/passenger injured when chain-reaction accident ricochets into them

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Chain Reaction Collision/Intersection/Left Turn/Excessive Speed

LOS ANGELES COUNTY SUPERIOR COURT

Lazin v. Kevorkov, No. SC087145, Santa Monica. Jacqueline A. Connor. Settlement date: 1/4/2006.

SETTLEMENT RESULT: \$144,500

Lazin: \$112,500 (\$7,500 from Johnson and Yee; \$100,000 from Kevorkov (his policy limits); \$5,000 from own health insurance carrier. Wilkie: \$32,000 (\$7,500 from Johnson and Yee; \$19,500 from Kevorkov; \$5,000 from own health insurance carrier).

COUNSEL

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

Defendant: Helen F. Stern, Stern & Ross, Los Angeles.

FACTS/CONTENTIONS

According to plaintiff: On October 9, 2003, plaintiff Olga Lazin, a 63-year-old UCLA college professor, was a passenger in a car driven by plaintiff James Wilkie, age 39, also a professor, in Beverly Hills. Wilkie and Lazin were stopped at a red light on Crescent Boulevard at its intersection with Sunset Boulevard. Defendant Arsen Kevorkov was driving a sports car eastbound on Sunset at a speed, according to plaintiffs, of about 70 mph (in a 35 mph zone). Defendant Dan Johnson was driving a sedan westbound on Sunset. As Johnson began turning left onto Crescent on the green light, he struck Kevorkov. Their vehicles ricocheted off one another and struck three other vehicles, including Wilkie's.

Plaintiffs Lazin and Wilkie sued defendants Kevorkov, Johnson, and Jennifer Yen, the owner of the car Johnson was driving, alleging negligence. Defendants conceded that plaintiffs shared no blame for the accident.

Kevorkov contended that the accident was Johnson's fault because he failed to yield the right-of-way to Kevorkov. Johnson blamed Kevorkov, contending that the accident was caused by Kevorkov's speeding. Kevorkov was willing to accept about 50 percent of the fault, but Johnson and Yen were willing to accept only 10 percent of the fault.

CLAIMED INJURIES

According to plaintiff: Lazin alleged that she sustained cervical and lumbar strain/sprain, requiring about four months of physical therapy. She claimed ongoing pain that did not resolve after physical therapy. An MRI taken nearly two years after the accident revealed a C4-C5 disk protrusion with nerve root impingement and a C5-C6 broad-based disk protrusion. She alleged that she may require surgery in the form of a C4-C5 and C5-C6 discectomy and fusion in the future. Defendants claimed that Lazin's medical records showed a long history of cervical spine problems, including chiropractic treatment and a visit to a doctor three weeks prior to the accident in which she complained about neck pain and radiating pain in her upper extremities.

Wilkie alleged that he sustained soft-tissue injuries to his neck and back, requiring four months of physical therapy.

CLAIMED DAMAGES

According to plaintiff: Lazin: \$13,208 past medical; \$60,000 future medical; pain and suffering. Wilkie: \$10,073 medical; pain and suffering.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurance carrier for defendant Kevorkov was 21st Century Insurance Co.

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