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SETTLEMENT RESULT: \$100,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Driver injured in chain-reaction rear-ender on freeway

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/
Chain Reaction Collision/Parked/Stalled/
Stopped Vehicle

LOS ANGELES COUNTY SUPERIOR COURT

Weizoerick v. Lloyd, No. VC046155, Norwalk.
Settlement date: 8/21/2006.

SETTLEMENT RESULT: \$100,000

COUNSEL

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

Defendant: Confidential.

FACTS/CONTENTIONS

According to plaintiff: On August, 25, 2005, Plaintiff Jeanne Weizoerick, a 70-year-old retired nurse, was driving a 2002 Mercedes, traveling eastbound on the 91 Freeway in the number five lane, in Cerritos. Defendant Joseph Lloyd, driving a 2000 Buick, was also traveling eastbound on the 91 Freeway in the number five lane. Defendant rear-ended a 2003 Honda and pushed the Honda into plaintiff's vehicle after plaintiff stopped for stopped traffic.

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

Defendant accepted liability but disputed the nature and extent of plaintiff's claimed injuries. Defendant further contended that plaintiff could not have torn her meniscus in a rear-end accident and that plaintiff had a long history of right knee problems beginning nine years prior to the accident, with complaints of right knee pain documented by her primary care physician within four months of the subject accident.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical and lumbar strain and sprain injuries, requiring physical therapy. Plaintiff also sustained a right knee torn meniscus, with a recommendation for right knee arthroscopic surgery. However, plaintiff declined to undergo the surgery.

CLAIMED DAMAGES

According to plaintiff: \$14,150 past medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded defendant's \$100,000 policy limits on December 5, 2005. Defendant refused to provide a response to the demand. A lawsuit was filed, and discovery ensued. After plaintiff's deposition and IME, defendant accepted the policy limits demand, approximately three months prior to the trial date.

EXPERTS

Plaintiff: None.

Defendant: Robert C. Klapper, M.D., orthopedic surgeon, Cedars-Sinai Hospital, Los Angeles (310) 659-6889.

COMMENTS

According to plaintiff: The insurer was Mercury Insurance Company.