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November 4, 2013

SETTLEMENT RESULT: \$110,000

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MOTOR VEHICLE

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Driver rear-ended in freeway collision suffers back injuries

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/Chain Reaction Collision/Interstate/Freeway

NO COURT/UNFILED SETTLEMENT

Moesel v. Coria, Docket number: Not reported. Judge: Not reported. Trial type: Settlement. Settlement date: 9/18/2013.

SETTLEMENT: \$110,000

\$110,000 to plaintiff for damages

COUNSEL

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

FACTS/CONTENTIONS

According to plaintiff: On May 29, 2013, plaintiff Christina Moesel, a 36-year-old homemaker, was driving a 2008 BMW 238i west on the 91 freeway in the number four lane in the city of Cerritos, Calif. Traffic in the number four lane came to a complete stop, and defendant Arturo Coria, driving a 1997 Dodge Ram truck west on the 91 freeway in the number four lane, reportedly rear-ended plaintiff's vehicle and pushed plaintiff's vehicle into the vehicle in front of plaintiff.

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

Defendants accepted liability and paid their policy limits. The UIM carrier disputed the nature and extent of plaintiff's claimed injuries and contended plaintiff had pre-existing lumbar spine problems not related to the accident.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained vertical and lumbar strains and sprains that were treated with physical therapy. Plaintiff had a lumbar MRI that revealed a 10-mm L4-L5 disc protrusion with near complete effacement of both lateral recesses, and a 4-mm L5-S1 disc protrusion with an annular tear. Plaintiff claimed she was a candidate for surgery in the form of a lumbar laminectomy and discectomy fusion at L4-

CLAIMED DAMAGES

According to plaintiff: \$14,564 past medical; \$75,000 future medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded defendant's \$15,000 policy, which was tendered in settlement. Then plaintiff demanded the balance of \$85,000 UIM policy. The UIM carrier tendered the remaining policy limits and waived reimbursement of \$10,000 in medical payments, making the

EXPERTS

None.

COMMENTS

According to plaintiff: Defendant's insurance carrier was Access General Insurance; the adjuster was Heather R. Vozar. The UIM insurance carrier was USAA; the adjuster was Roxane Jones.

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