

# TRIALS DIGEST®

THE COMPREHENSIVE SOURCE FOR CALIFORNIA CIVIL TRIAL RESULTS

AUGUST 21, 2006

Vol. 9, No. 34

**SETTLEMENT RESULT: \$117,000**

## VEHICLE NEGLIGENCE

34 TD 9th 25

### SETTLEMENT—Driver struck by tractor-trailer making U-turn

#### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Truck/U-Turn

#### LOS ANGELES COUNTY SUPERIOR COURT

*Lipson v. Halpern*, No. LC041112, Van Nuys.  
Settlement date: 6/30/1997.

**SETTLEMENT RESULT: \$117,000**

#### COUNSEL

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

Defendant: None.

#### FACTS/CONTENTIONS

According to plaintiff: On December 19, 1996, plaintiff Lipson, a 38-year-old homemaker and mother of three, was traveling westbound in her Chevrolet Suburban in the number one lane of Mureau Road in Calabasas. Defendant Halpern was driving an 18-wheel tractor-trailer and had come to a stop in the number two westbound lane. He proceeded to make a u-turn across the number one westbound lane, cutting off plaintiff's vehicle.

The force of the impact was so severe that plaintiff's vehicle traveled across the center raised island and ended up in the eastbound lanes of travel.

Defendant disputed liability and argued that plaintiff was comparatively negligent for speeding. Defendant further disputed the nature and extent of plaintiff's claimed injuries until after defendant's doctor confirmed plaintiff's cubital tunnel syndrome and the need for surgery and projected a higher cost for the future surgery than plaintiff's own doctors.

#### CLAIMED INJURIES

According to plaintiff: Plaintiff was transported by ambulance to a medical center. She sustained strains and sprains to her neck, low back, shoulder, and left arm, resulting in cubital tunnel syndrome, requiring future surgery. Plaintiff husband claimed loss of consortium.

#### CLAIMED DAMAGES

According to plaintiff: \$10,238 past medical; \$15,000 future medical for surgery.

#### SETTLEMENT DISCUSSIONS

According to plaintiff: Demand: \$150,000. Offer: \$100,000, increased to \$115,000, plus \$2,000 for plaintiff husband.

#### EXPERTS

Plaintiff: Lawrence M. Richman, M.D., neurologist, Los Angeles (310) 855-1622.

Defendant: Steven N. Brouman, M.D., orthopedic surgeon, Beverly Hills (310) 657-2202.

#### COMMENTS

According to plaintiff: The settlement was reached approximately one month after the case was filed.

Trials Digest, a Thomson West business, 425 Market Street, 4th Floor, San Francisco, CA 94105  
415-344-6000 (ph) 415-344-4950 (fax) trialsdigest@thomson.com west.thomson.com/trialsdigest/