

# TRIALS DIGEST®

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December 4, 2013

**SETTLEMENT RESULT: \$200,000**

JVR No. 1311260026

## MOTOR VEHICLE

**41 TD 16TH 18**

### Motorcyclist Suffers Torn ACL

#### VEHICLE NEGLIGENCE

Motorcycle v. Vehicle

#### NO COURT/UNFILED SETTLEMENT

Braginton-Smith v. Carteris  
Settlement date: 10/22/2013.

Settlement: \$200,000  
\$200,000 to plaintiff for damages

#### COUNSEL

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

#### FACTS/CONTENTIONS

Dianna Braginton-Smith, a 54-year-old Pilates trainer, reportedly suffered a fracture of the right first toe, a right knee tear of the anterior cruciate ligament and was a candidate for a right knee ACL repair, as a result of an automobile accident in which her southbound motorcycle met a northbound vehicle driven by defendant Sydney Carteris, which was attempting to make a right turn and veered wide into the plaintiff's lane while the plaintiff was attempting to make a left turn, causing the plaintiff to lay her bike down to avoid a collision. The plaintiff contended the defendant was negligent in the operation of her vehicle and that all of her injuries were a result of the defendant's negligence. The defendant initially disputed liability but eventually accepted liability while disputing the nature and extent of the plaintiff's claimed injuries.

#### CLAIMED INJURIES

According to plaintiff: Multiple Toe Fractures and torn ACL.

#### CLAIMED DAMAGES

According to Plaintiff: \$14,075 past medical; \$50,000 future medical.

#### SETTLEMENT DISCUSSIONS

The plaintiff initially demanded \$250,000. Defendant initially offered \$125,000. The case settled before litigation was filed.

#### EXPERTS

None.

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/