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SETTLEMENT RESULT: \$100,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Pedestrian struck by car in parking lot

VEHICLE NEGLIGENCE

Motor Vehicle v. Pedestrian

No COURT/UNFILED SETTLEMENT

Carapelotti v. Rodriguez. Settlement date: 5/17/2005.

SETTLEMENT RESULT: \$100,000

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On December 7, 1994, plaintiff, Annette Carapelotti, age 77, was injured while walking in a parking lot when a car driven by defendant William Rodriguez backed out of a parking space, knocked her down, and ran over her left foot.

Plaintiff alleged that defendant was negligent in the operation of his vehicle and that all of her injuries were a direct result of the trauma she sustained in the accident.

Defendant initially disputed liability. He also contended that plaintiff had substantial pre-existing left knee and left shoulder pathology that was evidenced in the records of her prior treating primary care physicians.

Defendant further contended that plaintiff did not require either a shoulder or knee surgery, and, if she did, it was a result of her age and pre-existing conditions.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained left shoulder traumatic impingement syndrome, a left rib contusion, a sprained left wrist, a left knee sprain, and a strain to the anterior talofibular and calcaneofibular ligaments of the left ankle. A left shoulder MRI scan revealed a large rotator cuff tear. Plaintiff is a candidate for surgical intervention in the form of an arthroscopy subacromial decompression and supraspinatus and infraspinatus tendon repair. A left knee MRI scan revealed an ACL tear, for which she is a candidate for surgical intervention in the form of a total left knee replacement.

CLAIMED DAMAGES

According to plaintiff: \$12,167 past medical; \$50,000 future medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded, and defendant tendered, \$100,000 (policy limits).

EXPERTS

None.

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