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SETTLEMENT RESULT: \$325,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Truck driver suffers injuries in collision with out-of-control truck-trailer that crossed median

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Truck/Centerline Violation

VICARIOUS LIABILITY

No COURT/UNFILED SETTLEMENT

Suvagau v. King. Settlement date: 6/10/2004.

SETTLEMENT RESULT: \$325,000

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On September 21, 2003, plaintiff Suvagau, a 56-year-old truck driver, was driving his fully loaded 18-wheel tractor-trailer westbound on I-44 in the number one lane of two lanes in the state of Missouri. Defendant, who was eastbound on I-44, skidded as a result of the wet pavement on the road from rain. Defendant lost control of his truck and trailer and came across the median and collided with plaintiff's tractor-trailer and pushed it into the path of a westbound wrecker truck. Plaintiff's tractor-trailer then ran off the highway, overturned and

caught fire. Plaintiff had to leap from his vehicle before it exploded and was completely destroyed.

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

Defendant admitted liability but disputed the nature and extent of plaintiff's claimed injuries.

CLAIMED INJURIES

According to plaintiff: Plaintiff was treated in the ER for cuts, bruises, and scrapes and then released. He returned to Los Angeles for medical care. He sustained cervical and lumbar strain and sprain requiring physical therapy. A left shoulder MRI revealed a labrum tear and underwent arthroscopic surgery. A lumbar spine MRI revealed a 4mm disk protrusion at L5-S1 with nerve root compression. Plaintiff underwent two epidural injections for his lumbar spine injuries. He made an excellent recovery with regard to his left shoulder and had some minor lumbar spine discomfort and residuals.

CLAIMED DAMAGES

According to plaintiff: \$91,807 past medical; \$0 future medical; \$52,050 lost income.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded \$450,000. Defendant initially offered \$75,000. Negotiations continued which resulted in the settlement of \$350,000 which was reached without necessity of filing a lawsuit.

EXPERTS

None.