

# TRIALS DIGEST®

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April 2, 2012

SETTLEMENT RESULT: \$1,250,000

Vol. 15 , No. 14

## COMMON CARRIER

49 TD 13TH 3

**Vehicle turns left in front of motorcycle,  
causing collision**

### VEHICLE NEGLIGENCE

Motorcycle/Left Turn/Right-of-Way

### NO COURT/UNFILED SETTLEMENT

Dulac v. Odgers, Trial type: Settlement.  
Settlement date: 3/9/2012.

**SETTLEMENT: \$1,250,000**

### COUNSEL

Plaintiff: Scott J. Corwin, A Professional Law Corporation, Los Angeles.  
Defendant: None.

### FACTS/CONTENTIONS

According to plaintiff: On November 18, 2011, plaintiff James Dulac, a 23-old USC student, was driving his 2006 Suzuki motorcycle northbound on Pacific Coast Highway in the #1 of 3 lanes and entered the intersection at Madison Street in Torrance, California, when defendant Roberta Odgers, driving a 1999 Toyota Solara in the left-turn lane, made a left turn in front of the plaintiff on a yellow light, causing the collision. Plaintiff flew over defendant's vehicle and landed near the crosswalk.

Plaintiff alleged that defendant was negligent in the operation of her vehicle and that all of plaintiff's claimed injuries were a direct result of said negligence. Defendant initially disputed liability. After later accepting liability, defendant disputed the nature and extent of plaintiff's claimed injuries.

### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained a left knee dislocation, including ACL, PCL, medial and lateral meniscus tears, lateral collateral compartment complex, and left elbow fracture. Plaintiff underwent multiple surgical procedures, including two left elbow fracture open reduction internal fixation using pins, plates, and screws; left knee arthroscopic partial medial meniscectomy and debridement, then a second left knee arthroscopy. Plaintiff is a candidate for three future surgeries on his left knee, including a left knee ACL allograft repair and two total knee replacements during plaintiff's lifetime. Plaintiff will also require a future left elbow surgery to remove the hardware. Plaintiff may have permanent nerve damage in his left knee and leg.

### CLAIMED DAMAGES

According to plaintiff: \$118,523 pas medical; \$143,000 future medical.

### SETTLEMENT DISCUSSIONS

According to plaintiff: The case settled approximately three weeks after plaintiff demanded defendant's \$1,250,000 policy.

### EXPERTS

None.

### COMMENTS

According to plaintiff: The insurance carrier was Allstate; the adjuster was Lee Boyer

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