

# TRIALS DIGEST®

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JULY 24, 2006

Vol. 9, No. 30

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

## VEHICLE NEGLIGENCE

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### **SETTLEMENT—Driver sustains injuries in rear-ender after slowing to enter driveway**

#### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End

#### NO COURT/UNFILED SETTLEMENT

*Blagman v. Pulido*. Settlement date: 2/12/2003.

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

#### COUNSEL

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

Defendant: None.

#### FACTS/CONTENTIONS

According to plaintiff: On May 8, 2002, plaintiff Linda Blagman, a 50-year-old real estate agent, was traveling eastbound on Washington Blvd. in the number two lane of two lanes. Plaintiff slowed down to make a right turn into a driveway, when defendant Silvia Pulido rear-ended plaintiff's vehicle.

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

Defendant accepted liability but disputed the nature and extent of plaintiff's claimed injuries and the need for future surgery.

#### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical and lumbar strain and sprain injuries, requiring physical therapy. MRI studies revealed disk protrusions at L4-L5, measuring 4 mm, compressing the left L5 nerve root, and L5-S1, measuring 5-6 mm, compressing the right S1 nerve root. Plaintiff may require a multi-level laminectomy and fusion in the future.

#### CLAIMED DAMAGES

According to plaintiff: \$5,306 past medical; \$60,000 future medical.

#### SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded, and the defendant tendered, \$15,000 (policy limits) within two weeks of plaintiff's demand. Plaintiff then submitted an underinsured motorist claim to her own carrier for her UIM policy limits, which were tendered within 30 days of her demand, making a total settlement of \$250,000 (policy limits).

#### 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/