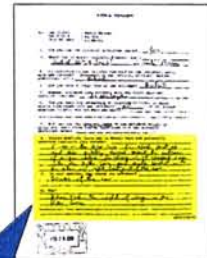
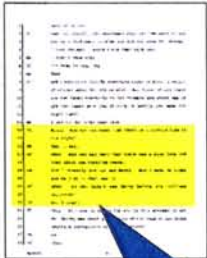


Harvey v. Argent

December 8, 2002 Accident



Scene Photo 1

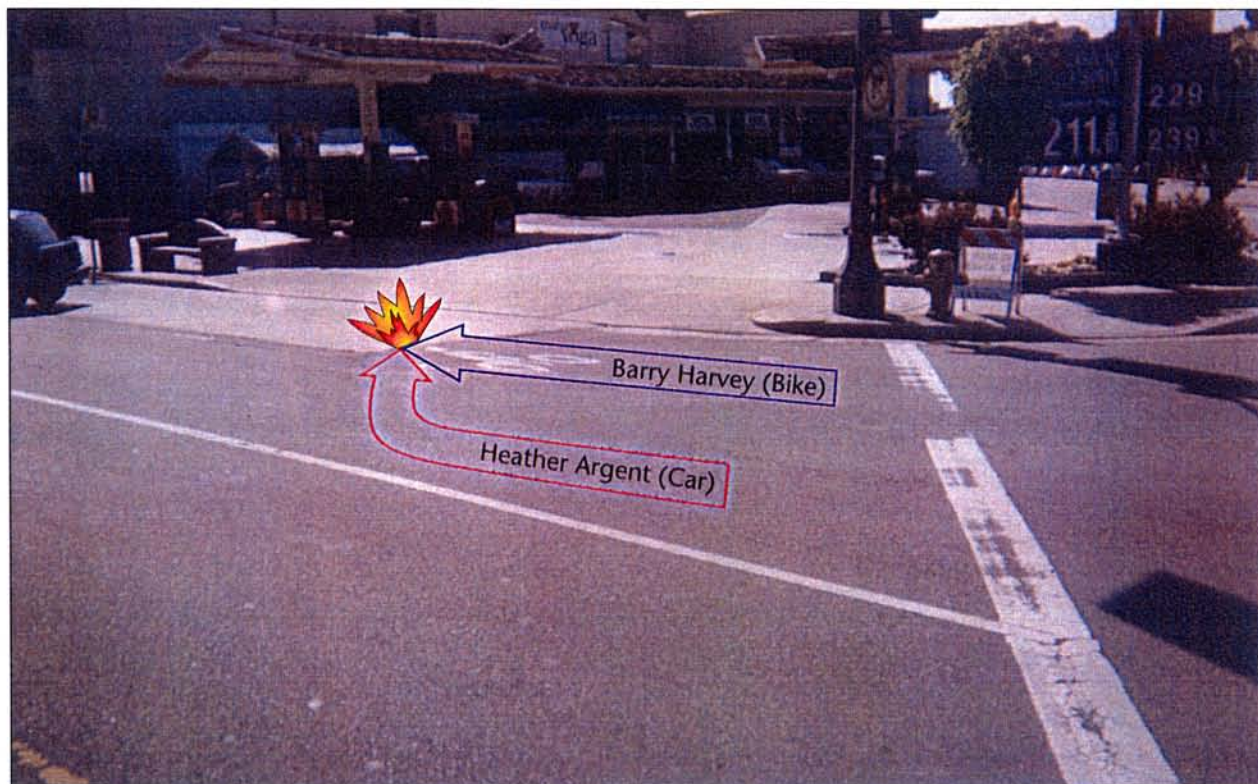


Interview of Defendant Heather Argent, May 9, 2003

- Q: Right. And are you aware that there is a bicycle lane to the right?
- A: Yes, I was.
- Q: Okay. And you had seen that there was a bike lane and that there was markings there.
- A: And I honestly did not see Barry. And I made my right and he just – that was it.
- Q: Okay. So you didn't see Barry before the collision occurred?
- A: No, I didn't.

Statement of Witness Paul Ong, Feb. 28, 2003

8. Please describe fully and in detail what you personally observed regarding this accident.
- I was in the bike lane. Car sped past me and then quickly turned toward the entrance of a gas station. In doing so, it crossed over into the bike lane and made contact with the biker w/ right-front part of the car**
9. In your opinion, who caused the accident?
- Driver of the car**
10. Why?
- Biker had the right of way in the bike lane**



Scene Photo 2

Barry Harvey's Damages

December 8, 2002 Accident

Injuries

- Oblique tear anterior horn lateral meniscus
- Focal non-displaced fracture peripheral anterior medial tibial plateau
- Grade I tear anterior medial collateral ligament

Past Medical Special Damages

■ Parkview Imaging	\$1,342
■ Stephen P. Kay, M.D.	\$750
■ Robert C. Klapper, M.D.	\$150

Total: \$2,242

Future Medical Special Damages

■ Right knee arthroscopy and lateral meniscectomy	\$23,000
■ Right total knee replacement	\$63,500

Total: \$86,500

Total Economic Damages:

\$88,742

Residuals

- Surgery for right knee required (arthroscopy and lateral meniscectomy)
- Future surgery for right knee required (total knee replacement)
- Constant right knee pain
- Pain limits right knee motion
- Pain substantially impairs personal and recreational activities
- Pain substantially impairs sleep
- Pain impairs bike riding (Barry Harvey is a former cycling champion)