

# TRIALS DIGEST®

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October 21, 2013

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

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## MOTOR VEHICLE

42 TD 16TH 22

**Aspiring model injured in vehicle collision**

### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Right-of-Way

### NO COURT/UNFILED SETTLEMENT

Walters v. Jones, Docket number: Not reported. Judge: Not reported. Trial type: Settlement. Settlement date: 3/28/2013.

### SETTLEMENT: \$250,000

\$250,000 to plaintiff for damages

### COUNSEL

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

### FACTS/CONTENTIONS

According to plaintiff: On February 16, 2012, plaintiff Lydia Walters, a 21-year-old aspiring model and waitress, was driving a 1996 Geo Prism north on SR 4121 in Greensboro, N.C., in the number one lane, traveling about 40 mph. Defendant, who was driving a 2003 Ford Explorer west exiting a parking lot and pulled in front of plaintiff's vehicle.

Plaintiff alleged defendant was negligent in the operation of his vehicle and that all of plaintiff's claimed injuries were a direct result of said negligence. Defendant disputed the nature and extent of plaintiff's claimed injuries.

### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained a fractured left collarbone required surgery and a left elbow fracture requiring surgery. Plaintiff was transported by ambulance to the hospital. Plaintiff made a reasonable recovery from her injuries, but had minor scarring on her elbow and shoulder and claimed future revision procedures would be necessary.

### CLAIMED DAMAGES

According to plaintiff: \$34,850 past medical; \$10,000 future

### SETTLEMENT DISCUSSIONS

Plaintiff demanded defendant's \$100,000, which was ultimately tendered. Plaintiff demanded the available \$150,000 balance of UIM coverage from her insurance company, Progressive, which was tendered, making the total recovery \$250,000 policy limits.

### EXPERTS

None.

### COMMENTS

According to plaintiff: Defendant's insurance carrier was State Farm Insurance; the adjuster was Angela Carboni. The UIM carrier was Progressive; the adjuster was Michael Dymek.

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