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January 23, 2012

SETTLEMENT RESULT: \$152,905

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VEHICLE NEGLIGENCE

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Stopped driver rear-ended on freeway

VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/Parked/
Stalled/Stopped Vehicle/Chain Reaction Collision/
Interstate/Freeway

NO COURT/UNFILED SETTLEMENT

Berland v. Rivera, Trial type: Settlement, Settlement
date: 9/21/2011

SETTLEMENT: \$152,905

COUNSEL

Plaintiff: Scott J. Corwin, Law Offices of Scott J.
Corwin, Los Angeles.
Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On April 12, 2011, plaintiff Michael Berland, a 68-year-old owner of a printing company, was driving a 2009 Honda Fit eastbound on the 101 freeway in the No. 1 lane in Encino, California. Traffic came to a complete stop. Plaintiff stopped when defendant Ismael Rivera, who was driving a 2003 Chevrolet van eastbound in the No. 1 lane, rear-ended plaintiff's vehicle, pushing it into the vehicle ahead.

Plaintiff alleged that 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 accepted liability but disputed the nature and extent of plaintiff's claimed injuries.

CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical, thoracic, and lumbar strain and sprain from injuries that were treated conservatively with physical therapy. Because of ongoing pain, plaintiff had an MRI of his right ankle, which revealed a 9 mm osteochondral defect and medial talar dome accessory navicular syndrome, requiring a future surgery in the form of a debridement and chondroplasty. Because of ongoing pain, plaintiff had an MRI of his right knee, which revealed a small oblique tear posterior horn lateral meniscus, mild chondromalacia patella, and mild chondromalacia medial compartment. Plaintiff is a candidate for right knee arthroscopic surgery.

CLAIMED DAMAGES

According to plaintiff: \$19,905 past medical; \$55,000 future medical. No loss of earnings was claimed.

SETTLEMENT DISCUSSIONS

Not reported.

EXPERTS

None.

COMMENTS

According to plaintiff: The insurance carrier was State Farm; the adjuster was Melissa Barrios.

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