

# TRIALS DIGEST®

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**SETTLEMENT RESULT: \$210,000**

## VEHICLE NEGLIGENCE

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### **SETTLEMENT—Driver suffers injuries in rear-ender when she stops for pedestrian**

#### VEHICLE NEGLIGENCE

Motor Vehicle v. Motor Vehicle/Rear-End/Parked/Stalled/  
Stopped Vehicle

#### NO COURT/UNFILED SETTLEMENT

*Bricker v. Martin*. Settlement date: 12/1/2000.

**SETTLEMENT RESULT: \$210,000**

#### COUNSEL

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

Defendant: None.

#### FACTS/CONTENTIONS

According to plaintiff: On April 6, 2000, plaintiff, a 70-year-old homemaker, was traveling westbound on University Avenue in the number one lane of a two-lane street. She then stopped for a pedestrian in the crosswalk. Defendant, who was directly behind plaintiff, rear-ended her vehicle.

Plaintiff alleged that 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 admitted liability, but disputed the nature and extent of her claimed injuries and need for future surgery.

#### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained a cervical lumbar strain as well as sprain injuries, which required physical therapy. Additionally, plaintiff alleged she sustained an L5-S1 disk protrusion encroaching upon the S1 nerve root, requiring a future lumbar laminectomy with a possible fusion.

#### CLAIMED DAMAGES

According to plaintiff: \$5,720 past medical; \$45,000 future medical.

#### SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff demanded, and the third party defendant carrier tendered, its \$30,000 policy limits within 30 days of the demand. Plaintiff then tendered an uninsured motorist demand to her own carrier in the sum of \$250,000 (new money).

The UIM claim settled within 30 days of plaintiff's demand for \$180,000 (new money).

#### EXPERTS

None.