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SETTLEMENT RESULT: \$120,000

VEHICLE NEGLIGENCE

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SETTLEMENT—Driver injured when rear-ended by tractor-trailer on freeway

VEHICLE NEGLIGENCE

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

LOS ANGELES COUNTY SUPERIOR COURT

Everson v. Dickey, No. KC016558, Pomona.

Settlement date: 9/28/1995.

SETTLEMENT RESULT: \$120,000

COUNSEL

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

Defendant: Jane L. Hillebrand, Michael Dolan & Associates, Woodland Hills.

FACTS/CONTENTIONS

According to plaintiff: On May 17, 1993, plaintiff Everson, a 33-year-old temporary secretary, was traveling eastbound on the San Bernardino freeway ("I-10") when her vehicle was struck from behind by defendant Dickey's tractor-trailer, which was traveling approximately 45 mph.

Plaintiff alleged that defendant negligently rear-ended her vehicle. Defendant denied liability and contested the nature and extent of plaintiff's alleged injuries.

Defendant contended that there was an accident of the I-10 freeway ahead of plaintiff that caused her to stop suddenly, making it impossible for defendant to avoid the accident. Defendant also contended that the accident occurred as a result of plaintiff's inattention and the actions of the drivers of the vehicles in the accident in front of plaintiff.

CLAIMED INJURIES

According to plaintiff: C5-C6 herniated disk treated by physical therapy. Plaintiff asserted that a future diskectomy would be necessary.

CLAIMED DAMAGES

According to plaintiff: \$14,516 past medical; \$23,000 future medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff made a CCP § 998 for \$165,000 which was later reduced to \$165,000. Defendant offered \$50,000.

EXPERTS

Plaintiff: James F. Haas, M.D., neurologist, San Bernardino (909) 890-1888.

Defendant: None.

COMMENTS

According to plaintiff: The case was settled approximately one year and five months after it was filed.