

# TRIALS DIGEST<sup>®</sup>

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**SETTLEMENT RESULT: \$110,000**

## VEHICLE NEGLIGENCE

**49 TD 13TH 24**

### Rear-end highway accident causes chain-reaction collision

#### VEHICLE NEGLIGENCE

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

#### NO COURT/UNFILED SETTLEMENT

*Lawler v. Christensen*, Trial type: Settlement. Settlement date: 10/24/2008.

#### SETTLEMENT: \$110,000

Defendant tendered his \$50,000 insurance policy limits. Plaintiff subsequently presented an underinsured motorist claim and was able to collect the remaining available \$50,000 UIM policy limits plus an additional \$10,000 in medical payments coverage, thereby resulting in the \$110,000 settlement.

#### COUNSEL

Plaintiff: Scott J. Corwin, A Professional Law Corporation, Los Angeles.

Defendant: None.

#### FACTS/CONTENTIONS

According to plaintiff: On May 4, 2007, plaintiff Gregory Lawler, driving a 2007 GMC van south on Highway 97, stopped for a red light at Odem Street in Redmond, Oregon. Defendant Christensen, driving a 2007 Toyota Rav-4 south on the same highway, failed to stop in time and rear-ended plaintiff's vehicle, pushing plaintiff's vehicle into the car in front of plaintiff. Plaintiff's vehicle sustained \$10,027 in property damage.

Defendant admitted liability.

#### CLAIMED INJURIES

According to plaintiff: Plaintiff sustained cervical, thoracic, and lumbar strain and sprain injuries that were treated conservatively with physical therapy. Plaintiff's right shoulder MRI revealed a labral tear. Plaintiff may require right shoulder surgery in the future.

#### CLAIMED DAMAGES

According to plaintiff: \$4,939 medical; \$33,000 future medical; \$0 loss of earnings; \$10,027 property damage.

#### SETTLEMENT DISCUSSIONS

Not reported.

#### EXPERTS

None.

#### COMMENTS

According to plaintiff: The insurance carrier was USAA; the adjuster was Geoff Doan. The underinsured motorist insurance carrier was United Fire & Casualty; the adjuster was Ellen Schell.

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