

# TRIALS DIGEST®

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**SETTLEMENT RESULT: \$100,000**

## VEHICLE NEGLIGENCE

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### **Abrupt stop leads to chain-reaction, rear-end collision**

#### **VEHICLE NEGLIGENCE**

Motor Vehicle v. Motor Vehicle/Rear-End/Chain Reaction Collision/Abrupt Start/Stop

#### **No COURT/UNFILED SETTLEMENT**

*Barreras v. Fuselier*, Trial type: Settlement. Settlement date: 11/5/2008.

#### **SETTLEMENT: \$100,000**

The parties settled for the \$100,000 policy limits.

#### **COUNSEL**

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

Defendant: None.

#### **FACTS/CONTENTIONS**

According to plaintiff: On November 10, 2007, plaintiff Aurelio Barreras was driving his 2003 Volkswagen Beetle north on San Fernando Road in the number one of three lanes when the vehicle in front of plaintiff made a sudden stop and plaintiff came to a stop near the intersection with Valencia in Los Angeles. Defendant Fuselier, driving a 2003 Nissan Murano, also northbound on San Fernando Road in the number one lane, was unable to stop and rear-ended plaintiff's vehicle, pushing plaintiff's vehicle into a car in front of plaintiff.

Plaintiff alleged his injuries were a result of the negligence of defendant.

Defendant accepted liability and tendered his policy limits.

#### **CLAIMED INJURIES**

According to plaintiff: Cervical, thoracic, and lumbar strain and sprain injuries that were treated conservatively by physical therapy.

Because of ongoing pain, plaintiff's orthopedist prescribed right and left shoulder MRI studies. The right shoulder MRI revealed a 1.5-cm diameter full thickness supraspinatus tendon tear. The left shoulder MRI revealed a 1.4-cm diameter full thickness rotator cuff tear involving supraspinatus tendon. The orthopedist advised plaintiff he may require bilateral rotator cuff surgeries in the future.

#### **CLAIMED DAMAGES**

According to plaintiff: \$12,737 past medical expenses; \$50,000 future medical expenses.

#### **SETTLEMENT DISCUSSIONS**

Not reported.

#### **EXPERTS**

None.

#### **COMMENTS**

According to plaintiff: The insurance carrier was Farmers Insurance; the adjuster was Craig Hamilton.

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