According to the police report it was daylight, clear and the roadways were dry. The speed limit on US-19 was 50 mph.

Ms. Lema, deposed on July 25, 2023, testified that she was coming out of a parking lot and intended to make a right turn onto US-19. Traffic was busy, there was a line of cars stopped ahead of her on US-19 so she stopped to see if she could make the turn. She looked to the left and saw the Toyota coming towards her at about 40 mph in the right southbound lane, which was the lane she was going to turn into, so she came to a complete stop and waited. All of a sudden, she saw the Genesis crossing the other lanes and she saw the Toyota strike it. The front of the Toyota struck the rear passenger side of the Genesis. The Genesis then moved almost sideways, and both of those vehicles came towards her. The driver’s side rear section of the Genesis struck her driver’s door. At the time of impact, she was looking forward and she braced for the impact. When the impact occurred, her vehicle was moved to the right and her side air bag deployed. She struck her left knee on something, and her left side and left arm were struck by the air bag. Once the crash was over, she had to kick open her driver’s door to exit the vehicle because she was not able to fully open it with her arm.

Mr. Lema, deposed on January 24, 2024, testified that he was Ms. Lema’s spouse. His wife called him after the crash and since he was close by, he walked to it. He saw that the driver’s door window was shattered out, the air bag was covering the opening and there was damage to the driver’s door and left front fender of her car. He was not able to recall the damage that was done to the Toyota but saw damage on both the passenger and driver’s side of the Genesis. His wife’s Toyota did not have any prior damage to it.

Dr. Patel, deposed on August 17, 2023, testified that his written report contained all of his final opinions. He was not intending to testify at trial that any of the procedures or treatments to Ms. Lema were unnecessary. The injuries he believed that she sustained due to the subject crash were a cervical strain/sprain and a contusion to her left shoulder. Ms. Lema had extensive degenerative changes to her cervical spine, and he believed that asymptomatic degenerative changes to the spine can become symptomatic after a traffic crash. According to Ms. Lema, the cervical discectomy performed by Dr. Saldin was successful as it helped her neck and arm pain. He did not think that an acute cervical disc herniation was involved and that her condition was due to extensive arthritis.

No deposition of Mr. Karadsheh was provided for review. He stated in Defendant’s Answers to Plaintiff’s Interrogatories that he was taking a left-hand turn and was impacted on the right side of his vehicle.

The police report stated that Mr. Karadsheh made a left-hand turn from US-19 northbound and failed to yield the right of way to the southbound Toyota. The front bumper of the Toyota impacted the passenger side of the Genesis, which was pushed into the Mercedes. The estimated speed of the Genesis was 5 mph, the Toyota was 45 mph, and the Mercedes was at a stop.