According to the provided at scene photos it was daylight, partly cloudy and the roadway was dry. Research indicated that the speed limit on Hwy. 470 was 65 mph.

Mr. Bond, deposed on January 17, 2024, testified that he was traveling eastbound on Hwy. 470, and he was in the lane adjacent to the far left lane. There was roadway construction, the traffic flow was moderate, and it was sunny out. He did not know how fast he was going but it was a little bit slower than the speed limit. There was a lane ahead being shut down and vehicles were slowing down to change lanes. He slowed down as well and began to go into the left lane and was struck from the rear without any warning. He did not hear any braking, screeching, or honking and the first time he noticed Ms. Davis’s vehicle was when it struck his. The impact pushed his car forward an unknown distance and his head whipped back with a lot of momentum and hit the headrest. There was a lot of force applied to his back and he did not think any other parts of his body struck the interior of his vehicle. He was looking forward with both hands on the steering wheel and his foot was on the brake when the impact occurred. He did not remember how many times his vehicle was impacted, he was wearing his seat belt, which he felt lock up, and the air bags did not deploy.

In the initial attorney consultation notes it was stated that he was on his way home from work, going about 60 mph on 470 right before University in Lane 1 (not the express lane), was slowing down because someone was changing lanes ahead of him and he was struck from the rear. He was going about 45 mph when the impact occurred. The other driver tried to brake but it was too late. There was an unnamed passenger in Ms. Davis’s vehicle.

In Plaintiff Riley Bond’s Response to Defendant’s First Set of Pattern and Non-Pattern Interrogatories and Requests for Production of Documents he stated that he was driving eastbound on 470, there was construction, and a lane was shut down. He was slowing down as cars were merging and he was struck from the rear.

In his compulsory medical examination with Dr. Ogin, he said he was traveling at highway speeds and traffic ahead had slowed due to the left lane being blocked. He merged to the left with traffic and slowed to about 30 mph when he was struck from the rear by the KIA. He did not see the KIA coming prior to the impact and his vehicle did not hit any other vehicles.

Dr. Ogin’s report included a review of Mr. Bond’s deposition on January 17, 2024, and it in Mr. Bond testified that vehicles ahead of him were slowing down as a lane had been shut down. As he was slowing down, the KIA rammed into the back of his Ford and his head whipped back with a lot of momentum. His head hit the headrest, but he did not think any other parts of his body part struck the interior of his Ford.

Ms. Davis, deposed on April 24, 2024, testified that she was traveling on Hwy. 470 and was going the speed of traffic which was around 60-65 mph. There was traffic ahead of her, she did not slow down enough, and the collision occurred. Her car was towed from the scene and her air bags did not deploy. She did not place any blame on Mr. Bond other than he made a hard stop. She did not think Mr. Bond was injured as badly as he claimed based on his statement at the scene about being completely fine, and he did not visually appear to be injured.

**Defense’s medical expert report, Dr. Ogin**

Dr. Ogin (Colorado Rehabilitation & Occupational Medicine) performed a compulsory medical examination and medical record review with Mr. Bond on May 3, 2024, and documented his findings in a 24-page report.

Dr. Ogin’s substantive conclusions can be summarized as follows:

* A course of physical therapy and chiropractic care was reasonable and medically necessary for Mr. Bond’s soft tissue injuries.
* The lumbar MRI and the procedures to his facet joints was reasonable, necessary, and appropriate.
* No further testing or treatment for Mr. Bond’s lumbar spine was necessary.
* Mr. Bond’s diagnosis of lumbar strain and lumbar facet irritation was causally related to the subject crash.
* Mr. Bond’s diagnosis of disc protrusion at L5-S1 was unrelated to the subject crash.
* There were no significant prior injuries or pre-existing conditions that would impact Mr. Bond’s current injury.