

New York, NY for the plaintiff; Gannon Rosenfarb Ballett & Grossman, New York, NY for the defendant

INJURED PARTY: Female

EVENT: The plaintiff tripped and fell on a metal ramp that was placed against a step leading out of the defendant's building

SPECIFIC INJURY: Broken ankle

AMOUNT: \$1,300,000 (Nassau Co., NY)

CASE: Ribeiro v. DeFranco, et al., 2015 NY Jury Verdicts Review LEXIS 227 (August 20, 2015)

CASE NUMBER: 600194214

JUDGE: Robert Abrams (NAM)

EXPERTS: Not published

ATTORNEYS: Kevin J. Kiley of Kiley Kiley & Kiley, PLLC, Great Neck, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 52 year old male

EVENT: The plaintiff fell from a ladder while installing a security system in a multi-family home

SPECIFIC INJURY: Lower leg and ankle fractures

PERTINENT INFORMATION: The case settled for \$1,300,000, including the \$500,000 policy limits of the general contractor and \$800,000 from the property owner

AMOUNT: \$500,000 (Nassau Co., NY)

CASE: Fulton v. Herring, 2013 NY Jury Verdicts Review LEXIS 188 (March 2013)

CASE NUMBER: 601333/11

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Stuart M. Rissoff of Law Offices of Stuart M. Rissoff, Garden City, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 14 year old male

EVENT: The plaintiff's grandfather left his shotgun loaded in its case and negligently left the case in an accessible area and the plaintiff lifted the case and then inadvertently dropped it. The gun discharged, striking the plaintiff in the ankle

SPECIFIC INJURY: Ankle fracture

PERTINENT INFORMATION: The case settled before trial for the grandfather's (defendant's) \$500,000 policy

AMOUNT: \$1,185,000 (New York Co., NY)

CASE: James v. Midtown West D., LLC, 2013 NY Jury Verdicts Review LEXIS 237 (October 13, 2013)

CASE NUMBER: 1011471/10

JUDGE: Richard F. Braun

EXPERTS: Not published

ATTORNEYS: Adam M. Hurwitz of Perecman Firm PLLC, New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Male in his late 30s

EVENT: The plaintiff, a construction worker, fell and suffered a ligament tear while wheeling a wheel barrel down a ramp

SPECIFIC INJURY: Ligament tear to ankle

PERTINENT INFORMATION: The case settled prior to trial for \$1,185,000

AMOUNT: \$162,500 (Onondaga Co., NY)

CASE: Lema v. Timberview Resort, Inc., 2015 NY Jury Verdicts Review LEXIS 199 (June 22, 2015)

CASE NUMBER: 2014EF3749

JUDGE: Donald F. Cerio, Jr.

EXPERTS: Not published

ATTORNEYS: Martin A. Lynn of Lynn Law Firm, LLP, Syracuse, NY for the plaintiff; Philip D. Dysert of Smith Sovik Kendrick & Segnet, Syracuse, NY for the defendant

INJURED PARTY: 44 year old female

EVENT: The plaintiff motel patron alleged that she slipped and fell on accumulated ice on her way out of the defendant's motel

SPECIFIC INJURY: Left ankle fracture

AMOUNT: \$2,400,000 (Queens Co., NY)

CASE: Ivaniv v. DZ 20th ST. LLC, et al., 2015 NY Jury Verdicts Review LEXIS 265 (November 2015)

CASE NUMBER: 2209/13

JUDGE: Not published

EXPERTS: Dr. Jeffrey Kaplan, orthopedic surgeon, New York, NY for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Kenneth Halperin and Mitchell Kahn of Wingate, Russotti, Shapiro & Halperin, LLP, New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 56 year old non-union male plumber

EVENT: The plaintiff fell approximately 10 feet from ladder while installing a new roof drainage system

SPECIFIC INJURY: Ligament tear in right ankle; Fractured calcaneus; Lumbar herniation; Right shoulder injury

PERTINENT INFORMATION: The plaintiff had limited prior earnings and future medical costs that exceeded \$600,000. The parties settled after three mediations over a four month period

AMOUNT: \$1,300,000 (Queens Co., NY)

CASE: Munoz v. MS-Dell Food Stores, 2014 NY Jury Verdicts Review LEXIS 144 (March 14, 2014)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Michael Soudry, M.B.A., economics, East Hanover, NJ, Dr. Jerry Lubliner, orthopedics, New York, NY, Dr. Joseph Carfi, physical medicine & rehabilitation/life care planner, Lake Success, NY, Terry Morgan, trucking industry, Sayre, PA for the plaintiff; name of the defendant's experts not published

ATTORNEYS: Richard C. Bell of Law Offices of Richard C. Bell, New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 48 year old male truck driver

EVENT: While the plaintiff was making a delivery to the defendant supermarket, the plaintiff fell between the rear of the truck and the loading dock

SPECIFIC INJURY: Right tendon tear and right ankle synovitis; tear to the right, dominant rotator cuff; cervical herniation

PERTINENT INFORMATION: The parties settled prior to trial. The plaintiff claimed lost wages of \$397,000 and introduced evidence of a life care plan of \$1,070,000

AMOUNT: \$1,650,000 (Richmond Co., NY)

CASE: Thomas Lombardo v. 5524 3rd Avenue Laundromat, et al., 2012 NY Jury Verdicts Review LEXIS 226 (June 25, 2012)

CASE NUMBER: 102302/2009

§ 2.01

ANKLE INJURIES

JUDGE: Judith McMahon

EXPERTS: Not published

ATTORNEYS: Michael H. Bush of Chelli & Bush, New Dorp, NY for the plaintiff; Harold J. Siegel of Harold J. Siegel, Esq., Staten Island, NY for the defendant

INJURED PARTY: Adult male

EVENT: The plaintiff was struck by the defendant's van while riding a motorcycle

SPECIFIC INJURY: Fractured ankle

PERTINENT INFORMATION: The case was settled prior to trial. The plaintiff, a union truck driver, sought past and future medical damages, as well as lost wages and future lost earning capacity due to his inability to drive

AMOUNT: \$450,000 (Rockland Co., NY)

CASE: Watkins v. Greenworld Landscaping and Irrigation Corp., 2015 NY Jury Verdicts Review LEXIS 220 (August 2015)

CASE NUMBER: 30858-15

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Ken Busman of Law Office of Kenneth Busman, White Plains, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Female in her 40s

EVENT: The defendant snow plow driver struck the plaintiff as she was walking in a parking lot

SPECIFIC INJURY: Severe soft tissue crush injuries to foot and ankle; Post traumatic stress disorder with anxiety, depression, nightmares, and flashbacks

PERTINENT INFORMATION: The case settled prior to trial. The plaintiff made no income claims

AMOUNT: \$550,000 (U.S. Dist. Ct. OR)

CASE: Martinez-Jacobo v. Home Solutions NW, Inc., 2015 Ore. Jury Verdicts & Sett. LEXIS 231 (October 22, 2015)

CASE NUMBER: 3:14-cv-01226-PK

JUDGE: Paul Papak

EXPERTS: Not published

ATTORNEYS: Mark McDougal, Jason Kafoury & Adam Lane of Kafoury & McDougal, Portland, OR for the plaintiff; John Anderson & Kevin Anderson of

Anderson & Yamada, Portland, OR for the defendant

INJURED PARTY: Adult male roofing worker

EVENT: While working on the roof of a home, the plaintiff fell through a skylight hole that had been covered with roofing felt

SPECIFIC INJURY: Left ankle strain; back contusion

PERTINENT INFORMATION: The plaintiff claimed medical expenses of \$58,127, lost wages of \$34,337 and past wages of \$33,360 stipulated

AMOUNT: \$375,000 (Multnomah Co., OR)

CASE: Krivolenkov v. Dennis and City of Portland, 2015 Ore. Jury Verdicts & Sett. LEXIS 257 (December 2015)

CASE NUMBER: 14CV15650

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Jason Kafoury, Gregory Kafoury & Mark McDougal of Kafoury & McDougal; Hala Gores, Portland, OR for the plaintiff; David Landrum, City Attorney's Office, Portland, for the defendant City

INJURED PARTIES: 81 year old male and 71 year old female

EVENT: The defendant driver struck the plaintiffs as they were walking in the crosswalk. The plaintiffs alleged that the defendant City failed to maintain the crosswalk in a safe, hazard free condition

SPECIFIC INJURY: 71 year old female—death

81 year old male—Fractured ankle; head and knee injuries; eyebrow laceration

PERTINENT INFORMATION: The settlement included \$25,000 from defendant driver and \$350,000 from defendant City of Portland. The \$350,000 from the City of Portland was allocated as \$175,000 to male plaintiff and \$150,000 to the estate of his wife

AMOUNT: \$772,045 (Multnomah Co., OR)

CASE: John Benjamin v. United Services Automobile Association (USAA), 2012 Ore. Jury Verdicts & Sett. LEXIS 153 (Aug. 21, 2012)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Dr. James Waldman (ophthalmologist), Dr. James Imatani (general surgeon), Dr. William Bowerfind (critical care medicine), Joan Takacs DO (physiatrist), Dr. Timothy Treible (orthopedic surgeon), Portland OR, Glen Zielinski DC (chiropractor) Lake Oswego, OR, Natalya Juson DDS (dentist)

Portland, OR for the plaintiff; names of the defendant's experts not published

ATTORNEYS: Karl Anuta, Law Office of Karl G. Anuta, Portland, OR for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 64 year old retired male engineer

EVENT: While stopped in traffic, the plaintiff's car was rear ended by an underinsured motorist

SPECIFIC INJURY: Ankle injury that developed into Deep Vein Thrombosis; fractured tooth; hip and vision injuries

PERTINENT INFORMATION: The damages included medical expenses of \$135,409

AMOUNT: \$15,600,000 (Alleghany Co., PA)

CASE: Cleland v. Defendants, 2013 PA Jury Verdicts Review LEXIS 155 (May 8, 2013)

CASE NUMBER: GD-11-005712

JUDGE: Paul F. Lutty, Jr.

EXPERTS: Not published

ATTORNEYS: John P. Goodrich of Goodrich & Associates, Pittsburgh, PA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Adult female, 7 year old female, 11 month old female

EVENT: The plaintiff's vehicle was hit head on by the defendant's vehicle. The plaintiff alleged that the defendant was visibly intoxicated

SPECIFIC INJURIES:

Adult female—miscarriage; crushed hip; multiple rib fractures; pelvic and ankle fractures

7 year old female—death

PERTINENT INFORMATION: The case was settled prior to trial for a total of \$15,600,000

AMOUNT: \$1,925,000 (Philadelphia Co., PA)

CASE: Stephens v. Defendant, 2012 PA Jury Verdicts Review LEXIS 128 (Oct. 3, 2012)

CASE NUMBER: 2011-02-741

JUDGE: Not published

EXPERTS: Robert P. Wolf (economics) Philadelphia, PA, Jamal Ahmad (orthopedic surgery) Bensalem, PA for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Robert G. Mangold of Law Firm of Allen L. Rothenberg, Philadelphia, PA for the plaintiff; name of the defendant's expert not published

INJURED PARTY: Female in her late 50s

EVENT: The plaintiff tripped and fell because of a low shelf positioned near the checkout counter of the defendant's beauty salon

SPECIFIC INJURY: Achilles tendon tear; staph infection; scarring

PERTINENT INFORMATION: The plaintiff's damages included medical expenses and lost wages. The plaintiff was employed as a schoolteacher earning approximately \$70,000 per year at the time of injury

AMOUNT: \$4,000,000 (Philadelphia Co., PA)

CASE: Zepp v. Defendants, 2012 PA Jury Verdicts Review LEXIS 156 (June 28, 2012)

CASE NUMBER: 091200421

JUDGE: Not published

EXPERTS: David Hopkins (economics) West Conshohocken, PA, Matthew Burkhardt (engineering) Southampton, PA, Mona Yudkoff (life care) Bala Cynwyd, PA Christopher A. Hawkins (orthopedic surgery) Sugarloaf, PA, Guy Fried (rehabilitation) Philadelphia, PA, Donald Jennings (vocational) Feasterville, PA, Stephen A. Estrin (work safety) New York, NY for the plaintiff; names of the defendant's experts not published

ATTORNEYS: Robert J. Mongeluzzi, Andrew R. Duffy, Jeffrey P. Goodman of Saltz, Mongeluzzi, Barrett & Bendesky, Philadelphia, PA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 46 year old male

EVENT: The plaintiff fell some 50 feet from a climbing work platform while he was working at the Lehigh County Courthouse.

SPECIFIC INJURY: Neurological injuries; Skull fracture; Brain injury characterized by continuing cognitive deficits; Fractures to ribs, pelvis, ankle and spine

PERTINENT INFORMATION: The case settled with the defendants as follows: the company that contracted to install panels on the outside of the courthouse settled for \$1,900,000, The defendant construction manager agreed to contribute \$1,650,000, The defendant owner of the work platform agreed to pay \$10,000 and the American distributor of the equipment settled for \$440,000

AMOUNT: \$3,725,000 (Philadelphia Co., PA)

CASE: Sawyer v. Defendants, 2012 PA Jury Verdicts Review LEXIS 157 (June 13, 2012)

§ 2.01

ANKLE INJURIES

CASE NUMBER: 100703493

JUDGE: William J. Manfredi

EXPERTS: Frank M. Costanzo (accident reconstruction) Chester Springs, PA, Barry Ruht (orthopedic surgery) Allentown, PA, Steven Boc (podiatry) Philadelphia, PA, Dennis DeWane (trucking) Collegeville, PA for the plaintiff; names of the defendant's experts not published

ATTORNEYS: Kenneth F. Fulginiti, Thomas J. Duffy of Duffy & Partners, Philadelphia, PA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 41 year old female security guard

EVENT: A tractor-trailer ran over the plaintiff's foot and ankle while she was checking the paperwork of the tractor-trailer at the Delaware River port facility

SPECIFIC INJURY: Ankle and foot fractures

PERTINENT INFORMATION: The parties settled prior to trial. The defendant trucking company contributed \$3,000,000 and the co-defendant port facility agreed to pay \$725,000

AMOUNT: \$725,000 (Harris Co., TX)

CASE: Henriquez v. Alliance PP2 FX1 Limited Partnership d/b/a Sterling Point Apartments, 2015 TX Jury Verdicts Review LEXIS 172 (July 23, 2015)

CASE NUMBER: 200771368

JUDGE: Patricia Kerrigan

EXPERTS: Not published

ATTORNEYS: Mark T. Murray of Stevenson & Murray, Houston, TX for the plaintiff; Jennifer House of Bingham, Mann, House, Gibson, Houston, TX for the defendant

INJURED PARTY: Adult female

EVENT: The plaintiff, a tenant of the defendant apartment complex, fell down a flight of steps after one of the steps collapsed beneath her.

SPECIFIC INJURY: Fractures to the right ankle and right tibia

AMOUNT: \$950,000 (Cowlitz Co., WA)

CASE: Plaintiff v. Defendant, 2014 WA Jury Verdicts & Sett. LEXIS 51 (November 2013)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Dr. Andrea Herzka (orthopedic surgeon), Dr. Amer Mirza (orthopedic surgeon), Dr. Thomas Huff (orthopedic surgeon), Portland OR, Dr. Robert

Arnsdorf (physiatrist) Longview, WA, Frederick DeKay Ph.D. (economist) Kenmore, WA, Lawrence Moore Ph.D. (neuropsychologist) Vancouver, WA, Jenipher Gaffney (vocational rehabilitation) Vancouver, WA, Todd Martin (vocational rehabilitation) Longview, WA, Dan Hughes Ph.D. (psychologist) Longview, WA for the defendant

ATTORNEYS: Duane C. Crandall of Crandall O'Neill Imboden & Styve, Longview, WA for the plaintiff; name of the defendant's attorney

INJURED PARTY: 51 year old male truck driver

EVENT: The plaintiff alleged that the defendant's vehicle failed to stop at a red light and collided with the plaintiff's motorcycle

SPECIFIC INJURY: Ankle injury; Back injury; Hip injury

PERTINENT INFORMATION: The parties settled for \$950,000

AMOUNT: \$250,000 (Jefferson Co., WA)

CASE: Kyle Schores v. Allstate, 2012 WA Jury Verdicts & Sett. LEXIS 110 (Feb. 17, 2012)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Dr. Daphne Beingessner (orthopedic surgeon) Seattle, WA, Dr. Frederic Braun (neurologist/expert) Bellingham, WA for the plaintiff; name of the defendant's expert not published

ATTORNEYS: David Brown of Brett Murphy Coats Knapp McCandlis Brown, Bellingham, WA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 20 year old male

EVENT: The plaintiff alleged that he was thrown from his motorcycle when the defendant's dog ran into the road.

SPECIFIC INJURY: Right ankle fracture

PERTINENT INFORMATION: The damages included past medical expenses of \$58,000, future medical expenses of \$66,000, \$35,000 of property damage and \$175,000 general damages

AMOUNT: \$3,300,000 (Pierce Co., WA)

CASE: Barbara and Beverly Huether, 2014 WA Jury Verdicts & Sett. LEXIS 54 (October 31, 2013)

CASE NUMBER: 12-2-07956-6

JUDGE: Vickie Hogan

MEDIATOR: Teresa Wakeen

§ 2.01

ANKLE INJURIES

EXPERTS: Dr. Jonathan Ritson (physiatrist) Gig Harbor, WA, Gerry Alexander (human factors) Philadelphia, PA, Richard Gill (human factors) Spokane, WA, William Haro (traffic engineer) Issaquah, WA, Laura Dahmer-White Ph.D. (neuropsychologist) Olympia, WA, Cloie Johnson (life care planner) Bothell, WA, Frederick DeKay Ph.D. (economist) Kenmore for the plaintiff; Charles Zegeer (traffic engineer) Chapel Hill, NC, Thomas Ayres Ph.D. (human factors) Kensington, CA, Thomas Ballard (traffic engineer) Lakewood, WA for the defendant

ATTORNEYS: Micah LeBank & John Connelly, Jr., Connelly Law Offices, Tacoma, WA for the plaintiff; Edward Winskill, Assistant Attorney General, Office of the Attorney General, Olympia, WA, Jeffrey Freimund of Freimund Jackson & Tardif, Olympia, WA for the defendant

INJURED PARTIES: 66 year old twin sisters

EVENT: Plaintiff Barbara was struck by a vehicle while crossing the street. Plaintiff Beverely was walking with her sister but was able to jump out of the way before the accident

SPECIFIC INJURY:

Plaintiff Barbara—Arm injury; humeral fracture; Knee injury; patellar fracture; Ankle fracture; multiple rib fractures

Plaintiff Beverely—Post Traumatic Stress Disorder (PTSD)

PERTINENT INFORMATION: The settlement included \$850,000 from defendant city, \$1,750,000 from defendant state, \$100,000 each from defendant insurer and \$500,000 UIM policy limits for plaintiff Barbara

AMOUNT: \$400,000 (Yakima Co., WA)

CASE: Montie B. McPherson, Jr. v. Roche Fruit Co., 2012 WA Jury Verdicts & Sett. LEXIS 173 (Mar. 22, 2012)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Dr. Gene Griffiths (orthopedic surgeon) Yakima, WA, Paul Emmans, Jr. DO (family practice) Selah, WA for the plaintiff; names of the defendant's experts not published

ATTORNEYS: Terry Abeyta of Abeyta Nelson, Yakima, WA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 66 year old male truck driver

EVENT: The plaintiff drove to the defendant's packing house to pick up a load of apple bins. After watching the forklift driver start to load, the plaintiff turned to walk back around the front of the truck to get something from inside the cab when the forklift driver reversed the forklift into him and ran over his left foot and ankle

SPECIFIC INJURY: Fractured left ankle requiring two surgeries

PERTINENT INFORMATION: The plaintiff alleged medical expenses of \$83,441 and lost wages of \$112,115

AMOUNT: \$300,000 (Yakima Co., WA)

CASE: Helen L. Trimble v. William Cousineau and Jimco, Inc., 2012 WA Jury Verdicts & Sett. LEXIS 135 (Feb. 29, 2012)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Dr. George Liu(orthopedic surgeon) Yakima, WA, Paul Emmans, Jr. DO (family practice) Selah, WA for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Terry P. Abeyta of Abeyta Nelson, Yakima, WA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 81 year old female

EVENT: As the plaintiff was waiting to cross the street, the defendant made a sharp right turn causing the rear wheels on his trailer to come up onto the curb and strike the plaintiff's scooter. The plaintiff was thrown off her scooter, landed on the sidewalk, and one of the wheels on the defendant's trailer ran over her left ankle

SPECIFIC INJURY: Fractured left ankle

PERTINENT INFORMATION: The damages included \$87,208 in medical expenses

AMOUNT: \$1,000,000 (Dane Co., WI)

CASE: Loverude v. Kaltenberg, et al., 2014 WI Jury Verdicts & Sett. LEXIS 45 (July 2014)

CASE NUMBER: 12 CV 320

JUDGE: Not published

EXPERTS: Dr. Michael Gelbort, Ph.D., neuropsychologist, Dr. David Goodspeed, orthopedist, Dr. Anuj Puppala, orthopedist, Mr. Greg Wisniewski, vocational rehabilitation specialist for the plaintiff; Ms. Leanne Panizich, vocational rehabilitation, Thomas Hammeke, Ph.D., neuropsychologist for the defendant

ATTORNEYS: D.J. Weis of Habush, Habush & Rottier, Rhinelander, WI for the plaintiff; Jonathan M. Ray of Emile Banks & Associates, Milwaukee, WI for the defendant

INJURED PARTY: 62 year old male attorney

EVENT: The defendant driver's vehicle struck the plaintiff's motorcycle at an intersection

§ 2.01

ANKLE INJURIES

SPECIFIC INJURY: Left shoulder separation; Left hand/wrist fracture; Left tibia/fibula fracture; Left ankle fracture; Left small finger amputation; Closed head injury

PERTINENT INFORMATION: The plaintiff claimed \$356,662 in past medical expenses, \$28,000 in past earnings losses and \$55,000 per year future earning losses

§ 2.02 Adequate**AMOUNT:** \$779,477.08 (Mobile Co., AL)**CASE:** Richard Williams v. HPW Specialties Ins., et al. 2014 AL Civil Trial Rptr. LEXIS 233 (April 25, 2014)**CASE NUMBER:** CV-2012-901624**JUDGE:** Sarah Hicks Stewart**EXPERTS:** Not published**ATTORNEYS:** David S. Cain, Jr. and Robert L. Mitchell of Cunningham Bounds, LLC, Mobile, AL for the plaintiff; Regina F. Cash and S. Gaillard Ladd of Luther, Collier, et al., LLP, Mobile, AL, Jarrod J. White and Rebecca D. Parks of Cabaniss, Johnston, et al., LLP, Mobile, AL for the defendants**INJURED PARTY:** Male mechanic**EVENT:** The plaintiff was operating an industrial hot water pressure washer when the hose burst releasing hot water and steam**SPECIFIC INJURY:** Ankle and lower leg burn injuries; permanent scarring

AMOUNT: \$8,189,790 (U.S. Dist. Ct. E.D. AK)**CASE:** Hogland v. Town & County Grocer, 2015 TN Jury Verdicts & Sett. LEXIS 132 (August 20, 2015)**CASE NUMBER:** 3:14-273**JUDGE:** J. Thomas Ray**EXPERTS:** Name of the plaintiff's expert not published; Jerry Sweet, neuropsychology, Evanston, IL for the defendant**ATTORNEYS:** Roger A. Dreyer, Dreyer Babich Buccola Wood Campora, Sacramento, CA and Brett A. McDaniel, McDaniel Law Firm, Jonesboro, AR for the plaintiffs; Stephen W. Heil, Cray Huber Hortsman Heil & VanAusdal, Chicago, IL and Jonathan E. Baker, Barber Law Firm, Little Rock, AR for the defendant**INJURED PARTIES:** 36 year old female and 12 year old male**EVENT:** The defendant driver, who was working for the defendant grocer, ran a red light and slammed into the plaintiff's vehicle**SPECIFIC INJURY:** 12 year old male—Ankle sprain

36 year old female—Traumatic brain injury

PERTINENT INFORMATION: The verdict included medical expenses of \$321,755, future medical expenses of \$300,000, \$50,056 for lost wages, \$1,400,000 for future lost wages, \$58,720 for "home health care," and \$34,259 to care for the plaintiff son, and \$6,500,000 for pain and suffering

§ 2.02

ANKLE INJURIES

AMOUNT: \$6,100,000 (Hartford Co., CT)

CASE: Ambrosio v. AWAC Services Co., et al., 2015 CT Jury Verdicts Review LEXIS 19 (October 6, 2015)

CASE NUMBER: CV12-6036172-S

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Michael C. Jainchill of Riscassi & Davis, Hartford, CT for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 54 year old female nurse

EVENT: The plaintiff alleged that the defendant driver lost control of her vehicle as she came around a curve and collided into the plaintiff's vehicle

SPECIFIC INJURY: Fractures to both legs, ribs, sternum, spine, and ankle

PERTINENT INFORMATION: The parties settled the claim after mediation

AMOUNT: \$180,753 (New London, CT)

CASE: Judith Mioduszewski v. Konover Properties Corp., 2012 CT Jury Verdicts Review LEXIS 53 (June 6, 2012)

CASE NUMBER: CV-08-5009691

JUDGE: Emmet Cosgrove

EXPERTS: Dr. Ross A. Benthien (orthopedics) Hartford, CT for the plaintiff; Mark J. Aldieri, A.I.A. (architect) Glastonbury, CT for the defendant

ATTORNEYS: Christopher P. Anderson of Anderson Law Firm, Norwich, CT for the plaintiff; Melissa Rich of Sharp Shields & Smith, Rocky Hill, CT for the defendant

INJURED PARTY: 59 year old female

EVENT: The plaintiff fell on a walkway that she alleged was too steep for pedestrians and lacked a handrail

SPECIFIC INJURY: Left ankle fracture

PERTINENT INFORMATION: The award included \$39,498 in economic damages and \$141,255 in non-economic damages

AMOUNT: \$1,262,000 (Brevard Co., FL)

CASE: Marie Tatman and Charles Tatman v. Sally L. Jaffe, 2012 FL Jury Verdicts Rptr. LEXIS 247 (Feb. 21, 2012)

CASE NUMBER: 05-2007-CA-012289

JUDGE: John Dean Moxley

EXPERTS: Not published

ATTORNEYS: Scott R. McMillen and Allison C. McMillen of McMillen Law Firm, Orlando, FL for the plaintiff; Joseph L. Amos, Jr., and Kimberly E. Lorenz of Fisher, Rushmer, et al., Orlando, FL for the defendant

INJURED PARTY: 70 year old female

EVENT: The defendant's 100 pound dog bit the plaintiff at a dog show

SPECIFIC INJURY: Crushed ankle; nearly severed left foot

PERTINENT INFORMATION: The verdict included \$105,000 for past medical and housekeeping expenses; \$125,000 for future medical and housekeeping expenses; \$500,000 for past pain and suffering; \$400,000 for future pain and suffering; and \$132,000 for past and future loss of consortium

AMOUNT: \$1,032,500 (Duval Co., FL)

CASE: Matthew R. White v. SMG Holdings, LLC, and Consolidated City of Jacksonville, 2013 FL Jury Verdicts Rptr. LEXIS 423 (September 13, 2013)

CASE NUMBER: 16-2011-CA-010898

JUDGE: Hugh A. Carithers

EXPERTS: Gil Spruance, M.S., CRC, CVE, VE, CLCP, MSCC (life care planning/vocational evaluation) Jacksonville, FL, Russell Kendzior (accident reconstruction) Southlake, TX for the plaintiff; Dr. Abraham Rogozinski (orthopedics) Jacksonville, FL for the defendant

ATTORNEYS: Tracy Considine of Tracy Considine, P.A., Jacksonville, FL for the plaintiff; Levi Gardner of Douberley, McGuinness, et al., Sunrise, FL for the defendant

INJURED PARTY: 24 year old male

EVENT: As the plaintiff was entering the bathroom in a football stadium, he slipped and fell on water that had accumulated on the floor

SPECIFIC INJURY: Fractured left ankle and foot; Pain and suffering

PERTINENT INFORMATION: The verdict of \$1,475,000 was reduced 30 % for the plaintiff's comparative negligence. The award included \$25,500 for past medical expenses, \$900,000 for future medical expenses, \$50,000 for past pain and suffering, and \$500,000 for future pain and suffering

AMOUNT: \$9,400,000 (Indian River, FL)

CASE: Opper v. Exton, 2012 FL Jury Verdicts Review LEXIS 368 (May 18, 2012)

CASE NUMBER: 312009CA011536

JUDGE: James Midelis

EXPERTS: Not published

ATTORNEYS: David M. Carter, Brian J. Connelly and Jason L. Odom of Gould, Cooksey, Fennell, Vero Beach, FL for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 41 year old male

EVENT: The 91-year-old defendant made a left turn and struck the plaintiff's motorcycle in the front end

SPECIFIC INJURY: Ankle, spine, pelvis, femurs, tibia, fibula fractures

AMOUNT: \$5,800,000 (Miami-Dade Co., FL)

CASE: Gallardo v. Prestige Imports, Inc., 2015 FL Jury Verdicts Review LEXIS 181 (April 7, 2015)

CASE NUMBER: 09-43176CA 02

JUDGE: Jacqueline Hogan Scola

EXPERTS: Not published

ATTORNEYS: William R. Jones III of Law Offices of William Randall Jones III, PA, Miami, FL; Michael F. Audie of Law Office of Michael F. Audie, P.A., Miami, FL for the plaintiff; Herbert C. Andrews of Law Offices of Hugh Behan, Miami, FL for the defendant

INJURED PARTY: 52 year old male physician

EVENT: A car struck the plaintiff as he was shopping for a car at the defendant car dealership

SPECIFIC INJURY: Ankle fracture

PERTINENT INFORMATION: The jury found the uninsured driver 80% negligent, the defendant car dealership 15% negligent, and the plaintiff 5% comparatively negligent

AMOUNT: \$492,758 (Miami-Dade Co., FL)

CASE: Fuentes v. Wal-Mart Stores, Inc., 2012 FL Jury Verdicts Review LEXIS 141 (Mar. 9, 2012)

CASE NUMBER: 11-18376CA (20)

JUDGE: Ronald Dresnick

EXPERTS: Steven Wender (orthopedic surgery), Aventura, FL for the plaintiff; Michael Zeide (orthopedic surgery), Boynton Beach, FL for the defendant

ATTORNEYS: Jonathan R. Friedland; Michael J. Carmona of Friedland Law Group, Coral Gables, FL for the plaintiff; Scott Boyer; Edward C. Prieto of

Quintairos, Prieto, Wood & Boyer, Miami, FL for the defendant

INJURED PARTY: 56 year old female

EVENT: The plaintiff slipped and fell because of a water spill on the floor of the defendant's store. The plaintiff alleged that the defendant's employees had constructive notice of the spill and failed to clean it

SPECIFIC INJURY: Ankle bruising and contusions; ACL tear and torn meniscus of the left knee; left rotator cuff tear

PERTINENT INFORMATION: The jury found the defendant 80% negligent and the plaintiff 20% comparatively negligent

AMOUNT: \$800,000 (Miami-Dade Co., FL)

CASE: Beth Stuckey v. Wal-Mart Stores, Inc., 2012 FL Jury Verdicts Rptr. LEXIS 221 (Mar. 6, 2012)

CASE NUMBER: 10-20186 CA 25

JUDGE: Jorge Cueto

EXPERTS: Dr. Elliot Lang (orthopedic surgery) Miami, FL for the plaintiff; Dr. Michael Zeide (orthopedic surgery) Boynton Beach, FL for the defendant

ATTORNEYS: Jack Paris of The Cochran Firm, Miami, FL for the plaintiff; Scott A. Boyer of Quintairos, Prieto, et al., P.A., Miami, FL for the defendant

INJURED PARTY: Female

EVENT: While walking through the defendant's store, the plaintiff slipped and fell in a puddle of water that had allegedly been leaking from a malfunctioning refrigeration cooler

SPECIFIC INJURY: Ankle; left arm; lower back; right foot; left hip contusion; pelvis; left shoulder

PERTINENT INFORMATION: The damages included \$98,000 for past medical expenses; \$102,000 for past pain and suffering; \$600,000 for future pain and suffering. The jury found plaintiff 50% negligent and defendant 50% negligent

AMOUNT: \$1,336,593 (Palm Beach Co., FL)

CASE: Lawrence and Leighann Lindsay v. Sandra Cornett and Holman Automotive, Inc., 2013 FL Jury Verdicts Rptr. LEXIS 435 (August 28, 2013)

CASE NUMBER: 2010CA030231

JUDGE: Janice Brustares Keyser

EXPERTS: Darlene Carruthers, M.Ed., Vocational Evaluation, Miami, FL for the plaintiff; Earl Wald, CPA (economics) Miami, FL, Dr. Stephen Jacobs (orthopedic surgery) Plantation, FL, Leslie Delman, MA, CRC, COMS, CVE, CCM (voca-

tional rehabilitation) Sunrise, FL, Dr. Arnold S. Zager (psychiatry) Hollywood, FL, Joe Kent (accident reconstruction) Marietta, GA, Dr. Daniel Hellerstein (urology) West Palm Beach, FL, Bruce Goldberger, Ph.D. (forensic toxicology) Jonesville, FL, John M. Mann, CPA, CFE (economics) Denver, CO for the defendant

ATTORNEYS: John K. Lawlor of Lawlor, Winston, et al., Fort Lauderdale, FL for the plaintiff; William T. Abel, Robert M. O'Malley, and R. Wade Adams of Adams, Adams, et al., West Palm Beach, FL, F. Neal Colvin of Law Offices of Peter J. Delahunty, Juno Beach, FL and Carlos M. Llorente of Law Offices of Carlos M. Llorente et al., Davie, FL for the defendants

INJURED PARTY: 46 year old male tow truck operator

EVENT: The plaintiff's truck was working on assisting a disabled vehicle, which had broken down on the side of the road. One of the defendants, who was driving on the nearby roadway and was allegedly under the influence of drugs and alcohol, decided to change lanes and the other defendant swerved to avoid hitting the other driver. The other defendant lost control of the vehicle, which left the roadway and struck plaintiff

SPECIFIC INJURY: Left ankle fracture requiring open reduction and internal fixation; torn urethra; multiple pelvic fractures, fracture of left fibula; erectile dysfunction, psychological injuries; pain and suffering

PERTINENT INFORMATION: The award included \$208,260 for past economic damages, \$528,333 for future economic damages, \$350,000 for past pain and suffering, and \$250,000 for future pain and suffering

AMOUNT: \$8,000,000 (U.S. District Court, Middle District, GA)

CASE: Bullock v. vs. Volkswagen AG, Volkswagen Group of America, Inc. and Honeywell International, Inc., 2015 Nat. Jury Verdict Review LEXIS 218 (September 2015)

CASE NUMBER: 4:13-cv-00037

JUDGE: Clay D. Land

EXPERTS: Bryant Buchner, PE, accident reconstruction, Tallahassee, FL, Robert Hebert, Ph.D., economics, Baton Rouge, LA, Lee Hurley, general mechanics and turbo diesel, Birmingham, AL, Kathy Willard, life care planner, Lawrenceville, GA, Mark Hood, P.E., mechanical and materials engineering, Pensacola, FL for the plaintiff; name of the defendant's experts not published

ATTORNEYS: D. Michael Andrews and Kendall Dunson of Beasley, Allen, Crowe, Methvin, Portis & Miles PC., Montgomery, AL for the plaintiff; Harlan Prater, Chandler Bailey and James Gibson of Lightfoot Franklin White, Birmingham, AL for defendant Volkswagen, Dick Willis, Sandra Ezell, Heather Walczak and of Bowman & Brooke LLP, Richmond, VA for the defendant Honeywell

INJURED PARTY: Adult female nurse

EVENT: The plaintiffs alleged that the defendants were negligent in failing to correct a defect in the turbo charger of the 2004 Volkswagen causing the vehicle to suddenly accelerate, leave the road and overturn

SPECIFIC INJURY: Head injury; ankle injury; cervical spine fracture; ruptured gall bladder; lacerated liver

AMOUNT: \$5,630,550 (U.S. South Bend, IN)

CASE: McNeal v. Heartland Express, 2012 IN Jury Verdicts Rptr. LEXIS 142 (Aug. 9, 2012)

CASE NUMBER: 3:09-126

JUDGE: Van Bokkelen

EXPERTS: Not published

ATTORNEYS: Michael W. Phelps, Nunn Law Office, Bloomington, IN for the plaintiff; Keith A. Gaston and Jennifer G. Schlegelmilch, Cruser Mitchell & Gaston, Indianapolis, IN for the defendant

INJURED PARTY: Female in her early 20s

EVENT: The defendant's tractor-trailer ran a right light and struck the plaintiff's vehicle, a small sedan, causing it to flip over

SPECIFIC INJURY: Broken right ankle; fractured femur, tibia/fibula; ruptured bladder

PERTINENT INFORMATION: The jury reduced the verdict by comparative fault to \$5,349,022. The plaintiff incurred medical bills of \$271,121 and lost wages valued at \$181,138

AMOUNT: \$455,563 (Lake Superior Co., IN)

CASE: Kadar v. CVS Pharmacy, 2014 IN Jury Verdicts Rptr. LEXIS 15 (October 23, 2013)

CASE NUMBER: 45D10-1201-CT-17

JUDGE: Pera

EXPERTS: Dr. Michael Stover (orthopedic surgery) Chicago, IL for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Timothy S. Schafer, Timothy S. Shafer, II, and Todd S. Schafer, Schafer & Schafer, Merrillville, IN for the plaintiff; John P. Twohy, Eichhorn & Eichhorn, LLP., Hammond, IN for the defendant

INJURED PARTY: Adult female

EVENT: While attempting to walk into the defendant's store, the plaintiff slipped and fell on ice and snow that had accumulated on the sidewalk in front of the building

SPECIFIC INJURY: Right ankle fracture; right leg injury

PERTINENT INFORMATION: The award of \$455,563 did not include damages for the husband's loss of consortium claim

AMOUNT: \$94,146 (Henry Co., KY)

CASE: Tyler v. Arvin Sango, Inc., 2012 KY Trial Ct. Rev. LEXIS 21 (Jan. 18, 2012)

CASE NUMBER: 08-412

JUDGE: Conrad

EXPERTS: Not published

ATTORNEYS: Stanley Goeing and Matthew Goeing, Goeing & Goeing, Winchester, KY and Henry L. Rosenthal, Jr., Dykeman Rosenthal, Winchester, KY for the plaintiff; Licha H. Farah, Jr. and Ashley K. Brown, Ward Hoeker & Thornton, Lexington, KY for the defendant

INJURED PARTY: 39 year old male truck driver

EVENT: On a snowy day and after making a delivery to the defendant, the plaintiff slipped and fell on a ramp near the defendant's business 's auto parts supply business

SPECIFIC INJURY: Torn tendons at the ankle; complex leg injury

PERTINENT INFORMATION: The verdict was reduced by 50% for plaintiff's comparative fault

AMOUNT: \$1,215,729 (Monroe Co., IN)

CASE: Cramer v. Cuaxiloa, 2016 IN Jury Verdicts Rptr. LEXIS 32 (Feb. 8, 2016)

CASE NUMBER: 53C06-1410-CT-1905

JUDGE: Hill

EXPERTS: Not published

ATTORNEYS: Bradford J. Smith, Ken Nunn Law Office, Bloomington, IN for the plaintiff; the defendant appeared pro se

INJURED PARTY: Adult male janitor

EVENT: The defendant drunk driver's vehicle collided with the plaintiff's motorcycle

SPECIFIC INJURY: Left femur fracture; two broken arms; right knee dislocation; dislocated shoulder; fractured pelvis; broken ankle

PERTINENT INFORMATION: The award included \$427,329 in compensatory damages and \$788,400 in punitive damages

AMOUNT: \$3,488,729 (Russell Co., KY)

CASE: Wilson v. Walters, 2013 KY Trial Ct. Rev. LEXIS 70 (March 13, 2013)

CASE NUMBER: 11-32

JUDGE: Miniard

EXPERTS: Not published

ATTORNEYS: Daniel G. Yeast, Morgan Brashear Collins & Yeast, Somerset, KY for the plaintiff; Timothy B. Schenkel, Freund Freeze & Arnold, Cincinnati, OH for the defendant

INJURED PARTY: 43 year old female waitress

EVENT: The plaintiff's vehicle was struck by the defendant, who was alleged to be drunk and who pled to criminal charges arising from the crash

SPECIFIC INJURY: Broken ankles; Broken right femur; cracked ribs

PERTINENT INFORMATION: The award of \$3,488,729 included \$750,000 for pain and suffering and \$2,500,000 in punitive damages

AMOUNT: \$263,428 (Adair Co., MO)

CASE: Hurley v. Dr. Bailey, 2015 Medical Litig. Alert LEXIS 236 (May 14, 2015)

CASE NUMBER: 11AR-CV00395

JUDGE: Russell Steele

EXPERTS: Dr. Chris Main, orthopedic surgeon, Macon, MO for the plaintiff; Dr. John Krause, orthopedic surgeon, St. Louis, MO for the defendant

ATTORNEYS: Scott Nutter & Daniel Singer of Shamberg, Johnson & Bergman, Kansas City, MO for the plaintiff; Terry Evans & William Lewis of Andereck, Evans, Smithville, MO for the defendant

INJURED PARTY: Adult female

EVENT: The plaintiff alleged that the defendant failed to properly treat her fractured ankle

SPECIFIC INJURY: Ankle fractures

PERTINENT INFORMATION: The award included \$13,428 for paid medical expenses and \$250,000 in non-economic damages.

AMOUNT: \$2,200,000 (Franklin Co., MO)

CASE: Katherine Shea v. Du Kum Inn, 2013 Nat. Jury Verdict Review LEXIS 336 (October 3, 2013)

CASE NUMBER: Not published

EXPERTS: Not published

ATTORNEYS: Lynn Johnson & John Parisi of Shamborg, Johnson & Bergman, MO for the plaintiff; Russell F. Watters of Brown & James PC, St. Louis, MO. Bradley Hansmann of Brown & James PC, St. Louis, MO, James Leritz of Leritz, Plunkert & Bruning, PC, St. Louis, MO for the defendant

INJURED PARTY: 83 year old female

EVENT: The defendant, a 17-year-old employee of a local diner, swerved to avoid a dog in the road and collided head on with the plaintiff's vehicle

SPECIFIC INJURY: Fractures to hip, pelvis, ribs, ankles, feet, elbow, knee, and hand

PERTINENT INFORMATION: The jury awarded the plaintiff \$2,200,000 in addition to \$100,335

AMOUNT: \$4,000,000 (Atlantic Co., NJ)

CASE: Kostera v. Bacharach Institute for Rehabilitation, 2013 NJ Jury Verdicts Review LEXIS 204 (August 20, 2013)

CASE NUMBER: ATL-L-3011-10

JUDGE: James Savio

EXPERTS: Ronald Fermano, RA, NCARB (architect) Cherry Hill, NJ, Joseph Daniel, D.O. (foot and ankle surgery) Egg Harbor, NJ, Joan Masterson, R.N., MSN, CRRN (life care planning), Robert Wolf, Ed.D., M.B.A. (vocational/economics) Cherry Hill, NJ for the plaintiff; name of the defendant's expert not published

ATTORNEYS: David Colleran of Law Offices of David Colleran, Philadelphia, PA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 62 year old female nurse

EVENT: The plaintiff slipped and fell on ice as she was on a walkway to the defendant's rehabilitation center

SPECIFIC INJURY: Severe trimalleolar fracture

PERTINENT INFORMATION: The jury award of \$4,000,000 included a future lost wage claim of between \$600,000 to \$800,000 and life care plan costs of \$1,800,000

AMOUNT: \$2,000,000 (Middlesex Co., NJ)

CASE: Robinson v. Truck-Tech, Inc., et al., 2012 NJ Jury Verdicts Review LEXIS 193 (Apr. 24, 2012)

CASE NUMBER: Not published

JUDGE: Phillip Paley

EXPERTS: Steven Schorr, PE (accident reconstruction) Abington, PA for the plaintiff; name of the defendant's attorney not published

ATTORNEYS: Cynthia Walters, Justin Van Dyke of Budd Larner, Short Hills, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 9 year old male

EVENT: The plaintiff alleged that the defendant truck driver stopped at a stop sign and struck the plaintiff. The plaintiff fell under the truck after impact and was dragged nine feet

SPECIFIC INJURY: Lower leg and ankle fractures; Abdominal scarring

AMOUNT: \$500,000 (Warren Co., NJ)

CASE: Tigar v. Cudworth, 2015 NJ Jury Verdicts Review LEXIS 307 (October 30, 2016)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Dr. Terrence Curran, orthopedic surgeon, Morristown, NJ for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Charles F. Kenny and Marie Stinson-Wade of LoPiano, Kenny & Stinson, Hoboken, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Female in her mid-60s

EVENT: The plaintiff alleged that the defendant driver lost control of his vehicle as he traveled around a curve, swerving into the oncoming lane and crashed head-on into the plaintiff's vehicle

SPECIFIC INJURY: Ankle fracture, dislocation and laceration; Bilateral rib fractures—Chest contusion; Atrial fibrillation

PERTINENT INFORMATION: The case settled for the defendant's policy limits prior to the filing of suit

AMOUNT: \$510,000 (NY)

CASE: Kevin Jarman v. The City of New York and Sergeant Samuel Morales, 2014 NY Jury Verdicts Review LEXIS 211 (July 16, 2014)

CASE NUMBER: 12-cv-0039

JUDGE: John Gleeson

EXPERTS: Not published

ATTORNEYS: Anthony C. Ofodile of Ofodile & Associates P.C., Brooklyn, NY

for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 50 year old male chef

EVENT: The plaintiff alleged he was subjected to excessive use of force by defendant police officer during an arrest for alleged shoplifting at a supermarket

SPECIFIC INJURY: Fracture/dislocation of right ankle

PERTINENT INFORMATION: The jury award included \$480,000 in compensatory damages and \$30,000 in punitive damages

AMOUNT: \$2,506,666 (Bronx Co., NY)

CASE: Dean v. Persich, 2014 NY Jury Verdicts Review LEXIS 215 (July 16, 2014)

CASE NUMBER: 303201/11

JUDGE: Kenneth Thompson

EXPERTS: Kevin Jules, DPM, podiatry, New York, NY for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Richard L. Giampa and Zachary K. Giampa of R Giampa, PC, Bronx, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Adult female

EVENT: The plaintiff alleged that during arthroscopic ankle ligament repair surgery the defendant lacerated the tendon in her ankle

SPECIFIC INJURY: Tear in the tendon in ankle; Complex Regional Pain Syndrome (CRPS) primarily affecting the lower left leg and foot

PERTINENT INFORMATION: The plaintiff made no income claims but alleged that she has great difficulties engaging in everyday tasks

AMOUNT: \$3,375,000 (Kings Co., NY)

CASE: Shepherd v. T.I.A. of NY, Inc., et al, 2015 NY Jury Verdicts Review LEXIS 228 (April 2, 2015)

CASE NUMBER: 15488/11

JUDGE: Edgar Walker

EXPERTS: Dr. Jerry Lubliner, orthopedic surgeon for the plaintiff; Dr. Roger Bonomo, neurologist, Dr. Ronald Grelsamer, orthopedic surgeon for the defendant

ATTORNEYS: I. Bryce Moses of counsel to of Burns & Harris, Blake G. Goldfarb and Seth A. Harris of Burns & Harris, New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 20 year old female

EVENT: The plaintiff was struck by turning garbage truck while crossing the

street with walk sign. The garbage truck fled the scene

SPECIFIC INJURY: Fractures to the left knee and left ankle post traumatic stress disorder (PTSD) with anxiety, depression, insomnia, nightmares, flashbacks

PERTINENT INFORMATION: The award included \$1,000,000 for past pain and suffering, \$2,000,000 for future pain and suffering and \$350,000 for future medical bills

AMOUNT: \$808,200 (Kings Co., NY)

CASE: Martinez v. Briarwood MP, LLC, 2014 NY Jury Verdicts Review LEXIS 112 (March 27, 2014)

CASE NUMBER: 3705/11

JUDGE: David Vaughn

EXPERTS: Dr. Alan J. Dayan, orthopedic surgeon, New York, NY, Dr. Timur Hanan, pain management, Brooklyn, NY for the plaintiff; Dr. Rene Elkin, neurology, New York, NY, Dr. Roy Kulick, orthopedic surgery, New York, NY for the defendant

ATTORNEYS: Gerald Arze of Arze & Mollica, LLP, Brooklyn, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Male construction worker in his mid 40s

EVENT: The plaintiff was standing on a platform inside a chimney on the roof of the seven story building when he fell to the basement

SPECIFIC INJURY: Fracture to the right ankle, left scapula, lumbar area, ribs and soft tissue cervical sprains and strains

PERTINENT INFORMATION: The jury award included \$31,200 for past medical bills, \$765,000 for past pain and suffering and \$12,000 future pain and suffering. The parties entered into a \$350,000/\$950,000 high/low prior to trial

AMOUNT: \$650,000 (Queens Co., NY)

CASE: Rambarran v. New York City Transit Authority, 2015 NY Jury Verdicts Review LEXIS 198 (August 18, 2015)

CASE NUMBER: 7003/13

JUDGE: Howard Lane

EXPERTS: Dr. Dante Trovato, orthopedic surgeon, Ozone Park, NY for the plaintiff; Dr. Howard Levin, orthopedic surgeon, Brooklyn, NY for the defendant

ATTORNEYS: James P. Benintendi of Sacco & Fillas, LLP, Astoria, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Female in her mid 30s

§ 2.02

ANKLE INJURIES

EVENT: The plaintiff fell on a stairway owned and maintained by the New York City Transit Authority

SPECIFIC INJURY: Comminuted tibia and fibula fracture; Ankle fracture; Osteo-arthritis

PERTINENT INFORMATION: The jury awarded \$650,000, including \$300,000 for past pain and suffering, and \$350,000 for future pain and suffering after a bifurcated trial. The plaintiff made no income claims

AMOUNT: \$140,000 (Suffolk Co, NY)

CASE: Delgado v. Flaherty, 2013 NY Jury Verdicts Review LEXIS 192 (October 7, 2013)

CASE NUMBER: 23679/10

JUDGE: Alan Spinner

EXPERTS: Not published

ATTORNEYS: Paul J. Campson of counsel to Silbowitz Garafola Silbowitz Schatz & Frederick, LLP, New York, NY, Howard R. Schatz of Silbowitz Garafola Silbowitz Schatz & Frederick, LLP, New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Male in his late 30s

EVENT: The defendant's vehicle became disabled in the left lane of the highway. The plaintiff swerved to avoid the defendant's vehicle and clipped the rear of the defendant's vehicle and hit a tree

SPECIFIC INJURY: Ankle fracture

PERTINENT INFORMATION: The jury found the defendant 70% negligent, the plaintiff 30% negligent and the case settled for \$140,000 in accordance with a high/low agreement of \$10,000/\$200,000

AMOUNT: \$4,112,320 (Lincoln Co., OR)

CASE: Casey J. Deckard v. Diana L. Bunch, Jeffrey N. King as representative of the Estate of Roland King, 2012 Ore. Jury Verdicts & Sett. LEXIS 65 (May 8, 2012)

CASE NUMBER: 102298

JUDGE: Charles Littlehales

EXPERTS: Not published

ATTORNEYS: William Barton & Brent Barton, The Barton Law Firm, Newport, OR for the plaintiff; Eugene Buckle of Hitt Hiller Monfils Williams, Maria "Sam" Ruckwardt, Portland, OR for defendants King; J.P. Harris & James Usera of Harris Wyatt & Amala, Salem, OR for defendant Bunch

INJURED PARTY: Male

EVENT: The plaintiff's vehicle was struck head-on by the defendant Bunch's vehicle. Prior to the accident, the defendant Bunch and the defendant King had been drinking at defendant King's residence

SPECIFIC INJURY: Ankle fractures; bilateral knee injuries; Sternum and right shoulder fractures; Wrist lacerations; Post traumatic stress disorder

PERTINENT INFORMATION: The verdict included past medical expenses of \$475,000, future medical expenses of \$994,000, and lost wages of \$2,261,000, including permanent impairment of past and future earning capacity. There was a defense verdict for defendants King

AMOUNT: \$3,000,000 (Philadelphia Co., PA)

CASE: White v. Drywall Inc., et al., 2015 PA Jury Verdicts Review LEXIS 53 (June 25, 2015)

CASE NUMBER: 130603238

JUDGE: Kenneth J. Powell

EXPERTS: Not published

ATTORNEYS: Jenimae Almquist of Messa & Associates, P.C., Philadelphia, PA for the plaintiff; Gary S. Williams of Baginski, Mezzanotte, Hasson & Rubinate in Philadelphia, PA; Mark Riley of Marshall, Dennehey, Warner, Coleman, & Goggin, King of Prussia, PA; Frederick Lachat of Margolis, Edelstein, Philadelphia, PA, Steven G. Leventhal of Reger, Rizzo, & Darnall, LLP, Philadelphia, PA for the defendant

INJURED PARTY: Male carpenter

EVENT: The plaintiff was walking down temporary staircases on a construction site when it collapsed under him and he fell to the next level below

SPECIFIC INJURY: Traumatic closed head injury with post-concussion syndrome; multiple scapula fractures; traumatic thyroid bleeding and trauma, partial rotator cuff tear; injuries to tissues of neck and back; arm/shoulder muscle atrophy and weakness

PERTINENT INFORMATION: The award included \$2,500,000 in damages to the plaintiff and \$500,000 to the plaintiff's wife for loss of consortium

AMOUNT: \$4,600,000 (Philadelphia Co., PA)

CASE: Nertavich v. PPL Electric Utilities Corporation, 2012 PA Jury Verdicts Review LEXIS 32 (Mar. 9, 2012)

CASE NUMBER: 09-09-02316

JUDGE: Mark I. Bernstein

EXPERTS: Stephen Estrin (construction safety) Sarasota, FL, Royal Bunin (economics) Wynnewood, PA, Greg Booth (electric engineering) Raleigh, NC, Mona Yudkoff (life care) Bala Cynwyd, PA, Paul Brockman (physiatrist) West Reading, PA, Donald Jennings (vocational) Feasterville, PA for the plaintiff; Michael Wright (construction safety) New Carlisle, OH for the defendant

ATTORNEYS: Joel S. Rosen, J.B. Dilsheimer of Cohen, Placitella & Roth, Philadelphia, PA for the plaintiff; Andrew F. Susko, Luke A. Repici of White & Williams, Philadelphia, PA for the defendant

INJURED PARTY: 37 year old male

EVENT: The plaintiff, a painting contractor hired by the defendant, fell to the ground when his safety equipment slipped off the peg of his portable climbing

SPECIFIC INJURY: Right femur fracture; Left tibia plateau fracture; Right ankle fracture; multiple foot fractures; Burst compression fractures of the lumbar vertebra at the L2-L5 levels

PERTINENT INFORMATION: The jury found the defendant 51% negligent and the plaintiff 49% comparatively negligent. There was a \$546,000 worker's compensation lien

AMOUNT: \$1,308,808 (Shelby Co., TN)

CASE: Martin v. Campbell Clinic, P.C., 2013 TN Jury Verdicts & Sett. LEXIS 69 (January 23, 2013)

CASE NUMBER: 5948-07

JUDGE: Robert L. Childers

EXPERTS: Dr. Amelia Kiser (family medicine) Glasgow, KY, Dr. Thomas Myers (orthopedist) Atlanta, GA for the plaintiff; Dr. Riley Jones (orthopedic surgeon) Memphis, TN, Dr. Susan Austin (orthopedic surgeon) Memphis, TN for the defendant

ATTORNEYS: Les Jones and Tanner George Gibson, Burch Porter & Johnson, Memphis, TN for the plaintiff; Buckner Wellford and Jennifer Sink, Baker Donelson Bearman Caldwell & Berkowitz, Memphis, TN for the defendant

INJURED PARTY: 72 year old female

EVENT: The plaintiff fell and turned her left ankle and was treated at the defendant hospital. She developed an infection to her ankle and foot while it was in a cast and her leg was later amputated below the knee

SPECIFIC INJURY: Ankle fracture; leg amputation

PERTINENT INFORMATION: The award of \$1,308,808 for plaintiff less 25% comparative fault came after a second trial. The award included \$108,808 for medicals, \$300,000 for physical and mental pain and suffering, \$300,000 for

disfigurement, \$300,000 for loss of enjoyment of life and \$300,000 for permanency

AMOUNT: \$2,595,622 (King Co., WA)

CASE: Salas v. Hi-Tech Erectors, 2015 WA Jury Verdicts & Sett. LEXIS 282 (June 29, 2015)

CASE NUMBER: 04-2-36411-6SEA

JUDGE: Monica Benton

EXPERTS: Dr. John Robertson, orthopedic Surgeon, Ronald Early Ph.D., psychiatrist, Seattle, WA, Daniel Brzusek DO, physiatrist, Bellevue, WA for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Robert Kornfeld of Kornfeld Trudell Bowen & Lingenbrink, Kirkland, WA for the plaintiff; Matthew Boyle, Law Offices of Matthew T. Boyle, Seattle, WA for the defendant

INJURED PARTY: 34 year old male carpenter

EVENT: The plaintiff slipped off a ladder while working at a construction site

SPECIFIC INJURY: Ankle, back, foot, hip, lega and wrist fractures

PERTINENT INFORMATION: The verdict included medical expenses of \$187,782 and lost wages of \$62,780

AMOUNT: \$2,060,000 (King Co., WA)

CASE: David P. Nelson, Jr. v. Ledcor Construction, Inc, Metropolitan Contracting LLC, KG Investment Properties II, LLC, 2012 WA Jury Verdicts & Sett. LEXIS 105 (Mar. 12, 2012)

CASE NUMBER: 10-2-15820-1SEA

JUDGE: John Erlick

MEDIATORS: Larry Levy & Thomas Harris

EXPERTS: Dr. Robert Dunbar, Jr. (orthopedic surgeon) Seattle, WA, Dr. Paul Mystkowski (endocrinologist) Bellevue, WA, Thomas Landino DPM (podiatrist) Seattle, WA, Richard Gleason (construction safety); Merrill Cohen (vocational rehabilitation); Paul Torelli Ph.D. (economist); Karina Vega-Zimmerman (medical billing), Seattle, WA for the defendant

ATTORNEYS: Bradley Crosta of Crosta and Bateman, Ronald Meltzer of Sinsheimer & Meltzer, Seattle, WA for the plaintiff; Anthony Scisciani III & Masaki James Yamada of Scheer & Zehnder for defendant Ledcor Construction, Martinus Johnson, Jr., Law Offices of Sharon J. Bitcon for defendant Metropolitan Contracting, John Hayes & William Gibson of Forsberg & Umlauf for defendant KG Investment Properties, Seattle, WA for the defendant

§ 2.02

ANKLE INJURIES

INJURED PARTY: 43 year old male

EVENT: The plaintiff, a carpenter/drywall installer, was injured while working on a scaffold that tipped over

SPECIFIC INJURY: Ankle fracture requiring ankle fusion surgery

PERTINENT INFORMATION: The Plaintiff agreed to settle with defendants Metropolitan Contracting and KG Investment Properties II for an undisclosed sum

§ 2.03 Inadequate**AMOUNT:** \$2,500,000 (Broward Co., FL)**CASE:** Laramore v. City of Fort Lauderdale, 2014 FL Jury Verdicts Review LEXIS 270 (June 12, 2014)**CASE NUMBER:** CACE 10010897**JUDGE:** Sandra Perlman**EXPERTS:** Not published**ATTORNEYS:** Linnes Finney, Jr. of Greenspoon Marder, P.A, Port St. Lucie, FL for the plaintiff; name of the defendant's attorney not published**DECEDENT:** 14 year old boy**INJURED PARTY:** 25 year old female**EVENT:** The decedent was riding an all terrain vehicle (ATV) with the plaintiff passenger in a residential. The plaintiffs alleged that the defendant police officer pursued the ATV causing the decedent to crash into a sound barrier. The decedent's head struck the side mirror of a parked pick-up truck just before he struck the sound barrier**SPECIFIC INJURY:** Death; Fractured ankle; internal injuries**PERTINENT INFORMATION:** The jury found the defendant officer 65% negligent and the minor decedent 35% comparatively negligent. The wrongful death claim was then tried on damages with an award of \$2,500,000, reduced accordingly. The parties settled after the verdict for the defendant's statutory liability cap of \$200,000

AMOUNT: \$300,000 (Miami-Dade Co., FL)**CASE:** Debra Betts v. Cabana Coaches, LLC, 2014 FL Jury Verdicts Rptr. LEXIS 252 (March 19, 2014)**CASE NUMBER:** 13-1301 CA 21**JUDGE:** Antonio Arzola**EXPERTS:** Lawrence Forman, M.Ed., J.D., Life Care Planning, Miami, FL for the plaintiff; Stephen Wender, M.D., Orthopedic Surgery, Fort Lauderdale, FL for the defendant**ATTORNEYS:** Nicholas I. Gerson and Edward Schwartz of Gerson & Schwartz, P.A., Miami, FL for the plaintiff; Stephen J. Riley and John B. Gallagher of Stephen J. Riley, P.A., Fort Lauderdale, FL for the defendant**INJURED PARTY:** Adult female**EVENT:** As the plaintiff exited a bus transporting her from a cruise ship to the airport, she lost her footing and fell to the ground**SPECIFIC INJURY:** Fractured ankle

PERTINENT INFORMATION: The jury found defendant 70% negligent and plaintiff 30% negligent and the verdict was reduced for plaintiff's comparative negligence

AMOUNT: \$140,213 (Miami-Dade Co., FL)

CASE: Morales v. Showgirls, Inc. Cabaret, 2012 FL Jury Verdicts Review LEXIS 103 (Jan. 20, 2012)

CASE NUMBER: 2009079242CA01

JUDGE: Victoria Platzer

EXPERTS: Not published

ATTORNEYS: Alan C. Anchell of Law Offices of Alan Anchell, Fort Lauderdale, FL for the plaintiff; Thomas J. McCausland of Conroy, Simberg, Ganon Krevans & Abel, Hollywood, FL for the defendant

INJURED PARTY: 43 year old male

EVENT: The plaintiff alleged that he was beaten by two employees in the men's bathroom of the defendant's strip club

SPECIFIC INJURY: Ankle fracture; lacerations

PERTINENT INFORMATION: The jury award included \$140,213 in damages including \$80,000 in past pain and suffering and \$100 for future pain and suffering. The court granted the plaintiff's post-trial motion for additur in amount \$50,000 for future pain and suffering, increasing the plaintiff's gross award to \$190,213, reduced by 60% comparative negligence

AMOUNT: \$1,100,000 (Palm Beach Co., FL)

CASE: Kates v. Soleil Salons, Inc., 2014 FL Jury Verdicts Review LEXIS 181 (Feb. 12, 2014)

CASE NUMBER: 2011 CA 16668

JUDGE: Peter D. Blanc

EXPERTS: Robert Schiftan, neurology, Boca Raton, FL, Mitchell Pollack, orthopedic surgery, Coral Springs, FL, Julio Ortiz, podiatry, Boynton Beach, FL, Kenneth Stein, radiology, Boca Raton, FL for the plaintiff; Michael Zeide, orthopedic surgery, Lake Worth, FL for the defendant

ATTORNEYS: David L. Rich, Zachary Rich, and Tamara Klopenstein of David L. Rich, P.A., Margate, FL for the plaintiff; James T. Sparkman, West Palm Beach, FL, Anika R. Campbell of Cole, Scott & Kissane, West Palm Beach, FL for the defendants

INJURED PARTY: 68 year old female

EVENT: The plaintiff, who was an independent contractor of a clothing/jewelry

boutique located in the defendant's beauty salon, slipped and fell in an oily substance on the floor of the defendant's beauty salon

SPECIFIC INJURY: Right foot and leg fractures; ankle injury

PERTINENT INFORMATION: The jury found the defendant 51 percent negligent and the plaintiff 49 percent comparatively negligent and thus the gross award of \$1,100,000 reduced to a net award of \$561,000. The award included \$200,000 in past medical expenses, \$166,668 in future medical expenses, \$200,000 in past loss of earnings, \$166,666 in future loss of earnings, \$200,000 in past pain and suffering and \$166,666 in future pain and suffering

AMOUNT: \$1,134,875 (Porter Co., IN)

CASE: Stephens-Kahl, et al. v. Pilot Travel Centers, 2016 IN Jury Verdicts Rptr. LEXIS 27 (Jan. 14, 2016)

CASE NUMBER: 64D02-0701-CT-243

JUDGE: Alexa

EXPERTS: Not published

ATTORNEYS: Jeffrey S. Wrage, Blachly Tabor Bozik & Hartman, LLC., Valparaiso, IN for the plaintiff; Keith A. Kinney, Duffin & Hash, LLP., Indianapolis, IN for the defendant

INJURED PARTY: 57 year old female nurse

EVENT: The plaintiff fell into an uncovered drainage trench near the gas pumps at the defendant's service station

SPECIFIC INJURY: Ankle fracture; Complex Regional Pain Syndrome (CRPS)

PERTINENT INFORMATION: The jury allocated fault at 90% to the defendant and the remaining 10% to the plaintiff. The jury did not award loss of consortium damages to the plaintiff's husband

AMOUNT: \$739,202 (Scott Co., KY)

CASE: Robertson v. King, 2015 KY Trial Ct. Rev. LEXIS 14 (May 27, 2014)

CASE NUMBER: 11-274

JUDGE: Isaac

EXPERTS: Robert Miller, Taylorsville, KY for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Kevan Morgan, Morgan Law Office, and Richard M. Rawdon, Jr., Rawdon Law Office, Georgetown, KY for the plaintiff; J. Stan Lee, Bowles Rice, Lexington, KY for the defendant

INJURED PARTY: Female

EVENT: The defendant driver struck the plaintiff on a four lane road as the plaintiff was crossing against the light

SPECIFIC INJURY: Broken femur, elbow fracture; broken ankle, pelvis and hand

PERTINENT INFORMATION: The jury found the plaintiff 90% at fault and the judgment was reduced to \$72,920

AMOUNT: \$120,000 (Queens Co., NY)

CASE: Yusci v. Motor Vehicle Accident Indemnification Corporation (MVAIC). 2015 NY Jury Verdicts Review LEXIS 135 (July 8, 2015)

CASE NUMBER: 013405/13

JUDGE: Maureen Healy

EXPERTS: Not published

ATTORNEYS: Serge M. Pierre of Mallilo & Grossman, Flushing, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 12 year old female

EVENT: As she stepped off the curb into the crosswalk, the plaintiff was struck by a driver who fled the accident

SPECIFIC INJURY: Microfractures of ankle

PERTINENT INFORMATION: The jury found the defendant 100% negligent and awarded \$120,000, including \$50,000 for past pain and suffering and \$70,000 for future pain and suffering. However, the \$25,000 MVAIC limit applied. The fractures constituted a serious injury under the no-fault law

§ 2.04 [Reserved]

CHAPTER 3

ARM INJURIES

§ 3.01 Settlement

AMOUNT: \$1,000,000 (Los Angeles Co., CA)

CASE: Bryan Mendrez v. Jan M. Richards, 2013 LexisNexis Jury Verdicts & Settlements 27 (Apr. 3, 2013)

CASE NUMBER: BC497938

JUDGE: Richard E. Rico

EXPERTS: Not published

ATTORNEYS: Kevin Danesh, Banafsheh Danesh & Javid, Beverly Hills, CA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Adult male

EVENT: The plaintiff alleged that the defendant's vehicle failed to yield the right of way and made a left turn directly into the path of the plaintiff's motorcycle as it was legally proceeding through an intersection on a green light

SPECIFIC INJURY: Forearm fracture; Head and brain trauma; Two broken wrists; two dislocated elbows

AMOUNT: \$2,265,000 (Orange Co., CA)

CASE: Symington v. Turteltaub, et al., 2013 Nat. Jury Verdict Review LEXIS 127 (June 2, 2013)

CASE NUMBER: 30-2012-00567499

JUDGE: Jamao Moberly

EXPERTS: Not published

ATTORNEYS: Thomas Schultz and Andrew Owen of Panish Shea & Boyle LLP, Los Angeles, CA, and Sean Shamsi of Shamsi Law Firm, North Hollywood, CA for the plaintiff; Marc Garber of Halas & Muhar, Orange, CA, Cleidin Atanous of Law Offices of Cleidin Atanous, Brea, CA for the defendants

INJURED PARTY: Adult male

EVENT: As the plaintiff was riding his motorcycle, the defendant steered into the plaintiff's right-of-way, causing the plaintiff to be ejected from his motorcycle

SPECIFIC INJURY: Hip and arm fractures

PERTINENT INFORMATION: The parties settled before trial

AMOUNT: \$240,000 (Orange Co., CA)

CASE: Robert Rosen v. City of Anaheim, et al., 2013 Nat. Jury Verdict Review LEXIS 288 (April 23, 2013)

CASE NUMBER: 30-2012-00572253

JUDGE: Fredrick P. Horn

EXPERTS: Jeffrey Hislop (police force/canine practices) Stockton, CA for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Michael A. Penn of Aitken Aitken Cohn, Santa Ana, CA for the plaintiff; Cristina L. Talley and Gregg M. Audet of City Attorney's Office, Anaheim, CA; Steven A. Sherman of Ferguson Praet & Sherman, Santa Ana, CA, Wayne W. Winthers and Denah Hoard of City Attorney's Office, Orange, CA for the defendants

INJURED PARTY: 85 year old male

EVENT: The plaintiff was attacked and mauled by a police dog while police searched the plaintiff's yard for purse snatcher

SPECIFIC INJURY: Left hand lacerations; right arm lacerations resulting in muscle and tendon injury

PERTINENT INFORMATION: The parties settled for \$240,000, including \$105,000 with the defendants City of Anaheim and Anaheim Police Department and \$135,000 with the City of Garden Grove and its police department. The plaintiff incurred \$25,117 in medical bills

AMOUNT: \$1,000,000 (Palm Beach Co., FL)

CASE: Boco v. Defendants, 2013 FL Jury Verdicts Review LEXIS 141 (April 10, 2013)

CASE NUMBER: 50 2013 CA003531 MBAD

JUDGE: Gregory Keyser

EXPERTS: Spencer Lee (emergency trauma) Ft. Pierce, FL, Pasquale Montesano (orthopedic surgery) West Palm Beach, FL, Bruce Rodan (radiology) West Palm Beach, FL for the plaintiff; name of the defendant's expert not published

ATTORNEYS: William Sterling Williams of Lytal, Reiter, Smith, Ivey, and Fronrath, West Palm Beach, FL for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Male

EVENT: The plaintiff was driving a truck when the defendant's vehicle crossed the median and struck his truck

SPECIFIC INJURY: Extensive arm scarring; Herniated cervical disc; Rotator cuff tear; Foot injury

PERTINENT INFORMATION: The parties settled prior to trial

AMOUNT: \$32,000,000 (Cook Co., IL)

CASE: Norals v. University of Chicago Medical Center, et al., 2015 Medical Litig. Alert LEXIS 194 (June 2015)

CASE NUMBER: 12L10528

JUDGE: Randye Kogan

EXPERTS: Not published

ATTORNEYS: Kevin G. Burke and Elizabeth Kaveny of Burke Wise Morrissey & Kaveny, Chicago, IL for the plaintiff; Mark Brennan of Cassiday Schade, Chicago, IL for the defendant

INJURED PARTY: 8 year old female

EVENT: The plaintiff alleged that the defendants failed to recognize septic arthritis and administer antibiotics in a timely manner resulting in loss of limbs

SPECIFIC INJURY: Amputation of arms and legs; cardiac arrest

PERTINENT INFORMATION: The parties settled prior to trial

AMOUNT: \$2,700,000 (Cook Co., IL)

CASE: Heather and Randy May v. Howard Roth, M.D. and Central Illinois Radiological, 2014 Medical Litig. Alert LEXIS 216 (Feb. 5, 2014)

CASE NUMBER: 11 L 583

JUDGE: Kathy Flanagan

EXPERTS: Dr. Jeffrey Frank, neurology, Chicago, IL, Dr. Martin Pomper, neuroradiology, Baltimore, MD for the plaintiff; Dr. Adnan Qureshi, neurology, Minneapolis, MN, Dr. Joel Meyer, neuroradiology, Evanston, IL for the defendant

ATTORNEYS: David R. Barry, Jr. and Kenneth T. Lumb of Corboy & Demetrio P.C, Chicago, IL for the plaintiff; Thomas R. Hill of Dykema Gossett PLLC, Chicago, IL for the defendant

INJURED PARTY: 37-year-old female

EVENT: The plaintiff was involved in an automobile accident in which she injured her neck. The plaintiff had an MRI of the brain and a CT angiogram of her neck. The plaintiff alleged that the test revealed bilateral vertebral artery dissections but the defendant did not treat her for this condition and she suffered a second stroke

SPECIFIC INJURY: Foot drop, paralysis of right arm; cognitive issues; stroke

AMOUNT: \$9,500,000 (MA)

CASE: Plaintiff v. Defendant Doctor, 2015 Medical Litig. Alert LEXIS 195 (June 2015)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Clyde D. Bergstresser and Scott Heidorn of Bergstresser & Pollock, Boston, MA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 41 year old female

EVENT: The plaintiff alleged that the defendant performed an unnecessary caesarean section and failed to recognize the signs of sepsis and treat the infection in a timely manner

SPECIFIC INJURY: Loss of arms and legs

PERTINENT INFORMATION: The parties entered into a confidential settlement

AMOUNT: \$1,000,000 (Burlington Co., NJ)

CASE: Williams v. Seaton, 2013 NJ Jury Verdicts Review LEXIS 179 (June 28, 2013)

CASE NUMBER: BUR-L-1325-11

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Daryl L. Zaslow of Eichen Crutchlow Zaslow & McElroy, LLP, Edison, NJ for the plaintiff; name of the plaintiff's attorney not published

INJURED PARTY: Infant female

EVENT: The plaintiff alleged that the defendant ob/gyn used excessive traction to deliver the infant female

SPECIFIC INJURY: Brachial plexus injury; Erb's palsy; Permanent arm length discrepancy

PERTINENT INFORMATION: The case settled prior to trial for the \$1,000,000 policy limit

AMOUNT: \$1,775,000 (Essex Co., NJ)

CASE: Villar v. Synargo Technologies, Inc., et al. 2016 NJ Jury Verdicts Review LEXIS 13 (Jan. 2016)

CASE NUMBER: ESX-L-5110-12

JUDGE: Paul Vichness

EXPERTS: Thomas Cocchiola P.E, engineer, Caldwell, NJ. J. Nigel Ellis, Ph.D., CSP, P.E., C.P.E, fall/safety, Wilmington, DE, Elizabeth A. Davis, MS, RN, CRRN, CLCP, life care planning, Cedar Bluff, VA, Dr. Avrill Berkman, orthopedic surgeon, W. Caldwell, NJ for the plaintiff; name of the defendant's experts not published

ATTORNEYS: Kenneth W. Elwood of Blume, Donnelly, Fried, Forte, Zerres & Molinari, P.C., Chatham, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 43 year old male truck driver

EVENT: The plaintiff fell from a ladder at a work site

SPECIFIC INJURY: Left foot and left ankle fractures; ulnar neuropathy; lumbar herniation

PERTINENT INFORMATION: The parties settled prior to trial

AMOUNT: \$505,000 (Essex Co., NJ)

CASE: Escamilla-Alvarado v. Zimmer America Corp., 2013 NJ Jury Verdicts Review LEXIS 341 (September 2013)

CASE NUMBER: ESX-L-1432-12

JUDGE: Not published

EXPERTS: Thomas Cocchiolla, P. E. (engineering) Caldwell, NJ, Dr. Michael Baruch (treating surgeon) for the plaintiff; Name of the defendant's expert not published

ATTORNEYS: John O' Dwyer of Ginarte O'Dwyer Gonzalez Gallardo & Winograd, LLP, Newark, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 31 year old male

EVENT: The plaintiff was injured by an alleged defective design of tent frame machine

SPECIFIC INJURY: Non-dominant arm and hand injury; Nerve damage

PERTINENT INFORMATION: The case settled for \$500,000 from the defendant distributor and \$5,000 from the co-defendant repair company

AMOUNT: \$1,400,000 (Gloucester Co., NJ)

CASE: Higginbotham v. Budd Pool Co. Inc., et al., 2014 NJ Jury Verdicts Review LEXIS 171 (March 21, 2014)

CASE NUMBER: GLO-805-11

JUDGE: Not published

EXPERTS: Ronald Savage, EdD, educational consultant, Haddonfield, NJ for the plaintiff; Mark Chelder, PhD, neuropsychologist, Galloway Twp, NJ for the defendant

ATTORNEYS: Robert Aaron Greenberg of Aronberg & Kouser, PA, Cherry Hill NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTIES: 9 year old boy and Adult father

EVENT: The plaintiff boy was the front seat passenger in a SUV driven by his plaintiff father. The plaintiffs alleged that the defendant negligently failed to stop at a stop sign, striking the passenger side of their vehicle

SPECIFIC INJURY:

9 year old boy: Right arm fracture; closed head trauma with significant cognitive deficits; eye injury

Adult father: Severe emotional distress including nightmares, anxiety, depression and flashbacks

PERTINENT INFORMATION: The parties settled the boy's case for present value of \$849,000 and an ultimate payout of \$1,670,000 by the time the minor plaintiff reaches the age of 35 and the father's case for a lump sum of \$350,000

AMOUNT: \$1,000,000 (Hudson Co., NJ)

CASE: Carley v. Ahuja, 2015 NJ Jury Verdicts Review LEXIS 126 (April 15, 2015)

CASE NUMBER: Not published

JUDGE: Joseph Turula

EXPERTS: Kenneth Betz, economics, Livingston, NJ, Dr. Hugh West, emergency medicine, San Francisco, CA, Dr. Alan Pertchik, neurology, Tinton Falls, NJ, Edmond Provder, vocation, Lodi, NJ for the plaintiff; name of the defendant's expert

ATTORNEYS: William O. Crutchlow of Eichen, Crutchlow, Zaslow, & McElroy, LLP, Edison, NJ for the plaintiff; name of the defendant's attorney

INJURED PARTY: 50 year old male

EVENT: The plaintiff alleged that the defendant failed to treat him when he presented at the emergency room with signs of a stroke

SPECIFIC INJURY: Stroke; loss of use of right arm and leg

PERTINENT INFORMATION: The parties settled prior to trial for defendant emergency room doctor's policy limit of \$1,000,000

AMOUNT: \$250,000 (Hudson Co., NJ)

CASE: Pritchard v. Perkins, 2014 NJ Jury Verdicts Review LEXIS 225 (July 3, 2014)

CASE NUMBER: HUD-L-5442-12

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Charles F. Kenny of LoPiano Kenny & Stinson, Hoboken, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 62 year old female

EVENT: The plaintiff, a tenant in the defendant's building, fell from the second to last step as she was descending a staircase

SPECIFIC INJURY: Comminuted humerus fracture on dominant arm

PERTINENT INFORMATION: The defendant's homeowner insurer and the plaintiff settled prior to trial for \$250,000

AMOUNT: \$4,100,000 (Mercer Co., NJ)

CASE: Dey v. Ourach, 2014 NJ Jury Verdicts Review LEXIS 136 (May 7, 2014)

CASE NUMBER: MER-L-2484-12

JUDGE: Not published

EXPERTS: Dr. Gary Goldstein, forensic orthopedic, Voorhees, NJ, Ellen Rader Smith, functional capacity, Montville, NJ, Varsha Desai, life care planning, Blue Bell, PA, Alexander Pendino, DO, neurology, Hamilton, NJ, Dr. Charles Terry, physical and rehabilitative medicine, Lawrenceville, NJ, Anthony Gamboa, PhD, vocational economics for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Dennis S. Brotman of Fox Rothschild, LLP, Lawrenceville, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 30 year old male

EVENT: The defendant's automobile driver suddenly made a left hand turn into the path of the plaintiff's motorcycle. The plaintiff was wearing a helmet

SPECIFIC INJURY: Loss of use of dominant right arm; Spinal injury; Temporary loss of use of leg; Concussion and post concussion syndrome; Cognitive deficits; Rib fractures

PERTINENT INFORMATION: The parties settled prior to trial. The plaintiff made a claim of approximately \$1,100,000 in diminution in earning capacity

AMOUNT: \$245,000 (Middlesex Co., NJ)

§ 3.01

ARM INJURIES

CASE: Patel v. Ming, 2014 NJ Jury Verdicts Review LEXIS 304 (Dec. 2014)

CASE NUMBER: MID-L-5199-13

JUDGE: Not published

EXPERTS: Dr. James Calandruccio, orthopedic surgeon, Memphis, TN for the plaintiff; name of the defendant's attorney not published

ATTORNEYS: J Silvio Mascolo of Rebenack Aronow Mascolo, LLP, New Brunswick, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 47 year old female

EVENT: The defendant driver struck the plaintiff as she was crossing an intersection

SPECIFIC INJURY: Permanent limitation and disfigurement to arm

PERTINENT INFORMATION: The parties settled prior to trial for \$245,000. The defendant had \$250,000 in coverage

AMOUNT: \$212,500 (Middlesex Co., NJ)

CASE: Jaikissoon v. Wright, 2014 NJ Jury Verdicts Review LEXIS 207 (July 31 2014)

CASE NUMBER: MID-L-7603-12

JUDGE: Not published

EXPERTS: Dr. Rudolf Thompson, plastic surgery, Colts Neck, NJ for the defendant; name of the defendant's expert not published

ATTORNEYS: Michael J. Hanus of Gill & Chamas, Woodbridge, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 12 year old male

EVENT: The plaintiff was playing basketball on the defendant's driveway when the defendant's Rottweiler rushed out through the screen door, knocked him down, and bit him twice

SPECIFIC INJURY: Puncture wounds and scarring on non-dominant arm and chest

AMOUNT: \$525,000 (Monmouth Co., NJ)

CASE: Utz v. Hill, 2015 NJ Jury Verdicts Review LEXIS 146 (June 2015)

CASE NUMBER: MON-L-3341-13

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Anthony V. Locascio of Gold, Albanese, & Barletti, Red Bank

NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Female in her early 50s

EVENT: The plaintiff fell on a walkway outside of the defendant's home

SPECIFIC INJURY: Fracture of dominant elbow; Fractures of dominant ulna

PERTINENT INFORMATION: The parties settled before trial

AMOUNT: \$685,000 (Morris Co., NJ)

CASE: Morris v. 44 Whippany Road LLC, et al., 2014 NJ Jury Verdicts Review LEXIS 293 (Sept. 2014)

CASE NUMBER: MRS-L-1120-11

JUDGE: Not published

EXPERTS: Michael Natale, P.E., engineering, Totowa, NJ, Dr. N. George Kasparyan, orthopedic surgeon, Burlington, MA, Dr. Glen Ross, orthopedic surgeon, Glen Ridge, NJ for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Stephen S. (Skippy) Weinstein and Gail S. Boertzel of Stephen S Weinstein PA, Morristown, NJ for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Male in his late 40s

EVENT: As the plaintiff was about to enter the defendant's building, he tripped and fell on the sidewalk abutting the defendant's commercial premises

SPECIFIC INJURY: Arm fractures; Right elbow injury; Triangular fibrocartilage complex (TFCC) pathology in both wrists

PERTINENT INFORMATION: The parties settled for \$685,000

AMOUNT: \$3,141,000 (Kings Co., NY)

CASE: Shea v. City Recycling Corp., et al, 2015 NY Jury Verdicts Review LEXIS 150 (July 2015)

CASE NUMBER: 5366/12

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Garry D. Sohn of Malone Tauber & Sohn, Freeport, NY for the plaintiff; name of the defendants attorney not published

INJURED PARTY: Male

EVENT: The defendant tractor trailer rear-ended the vehicle in which the plaintiff was a passenger causing the driver to lose control of the vehicle, which was then struck on the passenger side by a limo driver

SPECIFIC INJURY: Shoulder impingement syndrome; Severe radiating pain in both the lumbar and cervical areas; Permanent pain and restriction of use in the arm

PERTINENT INFORMATION: The parties settled after mediation. The host driver had \$500,000 in coverage, the limo driver had \$1,000,000 in coverage, and the trucker had a \$1,000,000 primary policy and a \$10,000,000 umbrella.

AMOUNT: \$3,600,000 (Kings Co., NY)

CASE: Clarke v. AKHK Brooklyn Restaurant, Inc., et al., 2013 NY Jury Verdicts Review LEXIS 199 (Nov. 7, 2013)

CASE NUMBER: 30331/05

JUDGE: Bernadette F. Bayne

EXPERTS: Not published

ATTORNEYS: David H. Perecman, Michael Caliguiri of Perecman Firm PLLC, New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 60 year old male dry wall worker

EVENT: While working for the defendant, the plaintiff dry wall worker fell from a scaffold, which was four feet off the ground

SPECIFIC INJURY: Cervical herniation; arm and shoulder injuries

PERTINENT INFORMATION: The case settled prior to trial for \$3,600,000

AMOUNT: \$7,000,000 (Queens Co., NY)

CASE: Marks v. Astoria Energy, LLC, et al., 2015 NY Jury Verdicts Review LEXIS 81 (Jan. 13, 2015)

CASE NUMBER: 26335/11

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Jeffrey A. Block and S Joseph Donahue of Block O'Toole & Murphy, n New York, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: Male union construction worker

EVENT: While working on a construction project, a five pound metal clamp fell from a scaffold and struck the plaintiff in the face

SPECIFIC INJURY: Left arm/hand tremor; Post traumatic stress disorder with anxiety and depression, nightmares, and flashbacks; Lost teeth replaced

PERTINENT INFORMATION: The parties settled prior to trial

SETTLEMENT

AMOUNT: \$1,300,000 (Richmond Co., NY)

CASE: Soriano v. Tyrell, LTD, et al., 2015 NY Jury Verdicts Review LEXIS 259
(June 17, 2015)

CASE NUMBER: 23176/11

JUDGE: Judith McMahon

EXPERTS: Dr. Roy Davidovich, orthopedist, New York, NY, Kristin Kucsma, M.A., economics, Livingston, NJ for the plaintiff; Dr. Edward Crane, orthopedist, New York, NY, Mark Ramnauth, vocational, New York, NY for the defendant

ATTORNEYS: Conrad Jordan, Jordan & LeVerrier, PC, East Hampton), NY trial counsel to of Mark E. Weinberger, P.C., Rockville Centre, NY for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 57 year old male painter

EVENT: The plaintiff fell 15 feet from a ladder while working for the defendant

SPECIFIC INJURY: Arm and leg fractures; Multiple facial fractures

PERTINENT INFORMATION: The parties settled before jury selection

AMOUNT: \$4,856,718 (Richmond Co., NY)

CASE: Capone v. Lifestyles for the Disabled, Inc., City of New York et al., 2015 NY Jury Verdicts Review LEXIS 128 (June 23, 2015)

CASE NUMBER: 104414/11

JUDGE: Thomas P. Aliotta

EXPERTS: Al Cipriani, P.E., accident reconstruction, Baltimore, MD for the plaintiff; Ali Sadegh, P.E., accident reconstruction, New York, NY for defendant City of New York

ATTORNEYS: Ben B. Rubinowitz and Peter J. Saghir of Gair, Gair, Conason, Steigman, Mackauf, Bloom & Rubinowitz, New York, NY for the plaintiff; name of the defendant's attorney not published

DECEDENT: 61 year old disabled adult

EVENT: The decedent was a passenger in a van operated by the defendant rehabilitation program that was struck by a fire truck

SPECIFIC INJURY: Left humeral shaft fracture, fractured ribs, fractured pelvis, and a back injury; Death

PERTINENT INFORMATION: The case settled prior to jury selection. The settlement included \$3,356,718 from the driver and group home employer, and \$1,500,000 from the City

AMOUNT: \$750,000 (Multnomah Co., OR)

CASE: Solis v. Heather Park Development, LLC, 2014 Ore. Jury Verdicts & Sett. LEXIS 70 (April 18, 2014)

CASE NUMBER: 1302-01698

MEDIATOR: Michael McClinton

EXPERTS: Dr. Niknam Eshraghi, general surgeon, Portland, OR, Timothy Birr, fireman, Tigard, OR, Gregory Wong, fire causation/origin, Portland, OR for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Timothy Vanagas, Portland, OR for the plaintiff; Jeffrey Hansen of Smith Freed & Eberhard, Portland, OR for the defendant

INJURED PARTY: 41 year old male

EVENT: A fire started in the house the plaintiff rented from the defendant and the plaintiff was badly burned

SPECIFIC INJURY: First and third degree burns to arms and hands

PERTINENT INFORMATION: The settlement included medical expenses of \$175,000 and lost wages of \$21,000

AMOUNT: \$1,000,000 (Multnomah Co., OR)

CASE: Ronald and Gayl Anderson v. Heather Morris, City of Portland, John Garner, Mark Wigginton and Andy Lee, 2012 Nat. Jury Verdict Review LEXIS 244 (May 29, 2012)

CASE NUMBER: 1106-08013

JUDGE: Judith Matarazzo

EXPERTS: Gary D. Sloan, Ph.D. (human factors) Olympia, WA, Dr. Nancy Futrell (neurology) Salt Lake City, UT, Patricia Camplair, Ph.D. (neuropsychology) Portland, OR, Larry Moore, Ph.D. Portland, OR, Alana Raber, Ph.D. (psychology) Portland, OR for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Thomas D'Amore of D'Amore Law Group, P.C., Lake Oswego, OR for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 63 year old retired male

EVENT: The plaintiff was pinned between the entry way booth and the trailer of the defendant's vehicle as it passed through the entryway booth used by both pedestrians and vehicular traffic at the defendant's racetrack

SPECIFIC INJURY: Fractured arm; 16 rib fractures; collapsed lung; brain injury

PERTINENT INFORMATION: The plaintiff settled the claim against the racetrack and its employees for the sum of \$1,000,000 in a pre-trial agreement. The plaintiffs settled with the owner and driver of the vehicle for the sum of \$350,000

AMOUNT: \$2,620,000 (Philadelphia Co., PA)

CASE: McLees v. Defendants, 2015 PA Jury Verdicts Review LEXIS 38 (March 8, 2015)

CASE NUMBER: 12-10-02798

JUDGE: Leon W. Tucker

EXPERTS: Kevin O'Connor, accident reconstruction, Phoenixville, PA; Joseph Nicolo, Audubon, PA; Andrew Verzilli, economics, Lansdale, PA; Alex Karras, life care, Malvern, PA; Brenda M. Ivker, neuropsychology, Philadelphia, PA; Guy W. Fried, pain management, Philadelphia, PA for the plaintiff; name of the defendant's expert not published

ATTORNEYS: Kevin R. Marciano and Patrick D. MacAvoy of Marciano & MacAvoy, Media, PA for the plaintiff; name of the defendant's attorney not published

INJURED PARRY: 42 year old male assistant manager home improvement store

EVENT: The plaintiff collided with the defendant delivery truck while he was riding his bicycle

SPECIFIC INJURY: Closed head injury; Multiple rib fractures; Punctured lung; Humerus fracture; Finger fracture; Neck and back injuries; Emotional injuries

PERTINENT INFORMATION: The parties settled during jury selection

AMOUNT: \$5,887,500 (Philadelphia Co., PA)

CASE: Batista v. Defendant Bus Company, 2012 PA Jury Verdicts Review LEXIS 31 (Jan. 10, 2012)

CASE NUMBER: 07-06-1319

JUDGE: Allan L. Tereshko

EXPERTS: George Govatos (accident reconstruction) Charlestown, MD; David Hopkins (economics) King of Prussia, PA for the plaintiff; names of the defendant's experts not published

ATTORNEYS: Edward F. Chacker; Brian S. Chacker of Gay, Chacker & Mittin, Philadelphia, PA for the plaintiff; name of the defendant's attorney not published

INJURED PARTIES: 5 minors ranging in age from 9 to 12 years old

EVENT: The plaintiffs were passengers on a school bus that collided with a tractor-trailer.

SPECIFIC INJURIES:

Plaintiff Elias T: Rash burns to back, shoulders and right arm; right arm nerve damage; closed head injury with brain damage

Plaintiff Josus R: Laceration to his left arm; nerve damage to left arm injury; closed head injury; post-traumatic stress disorder

Plaintiff Juankarlos M: Left arm fracture

Plaintiff Susan P: Ankle injury; closed head injury

Plaintiff Neena M: Closed head injury; post-traumatic stress disorder; back and neck injuries

PERTINENT INFORMATION: The case settled prior to trial as follows: \$3,700,000 to Elias T; \$1,500,000 to Jous R; \$417,500 to Juankarlos M; \$160,000 to Susan P and \$110,000 to Neena M

AMOUNT: \$3,000,000 (King Co., WA)

CASE: Plaintiff v. John Schmidt and USAA Ins. Co., 2014 WA Jury Verdicts & Sett. LEXIS 262 (Feb. 10, 2014)

CASE NUMBER: Not published

JUDGE: Not published

EXPERTS: Not published

ATTORNEYS: Nathan Roberts, Connelly Law Offices, Tacoma, WA for the plaintiff; name of the defendant's attorney not published

INJURED PARTY: 60 year old female retired school teacher

EVENT: The defendant's truck struck the plaintiff as she was riding her bicycle on a rural road

SPECIFIC INJURY: Head injury; traumatic brain injury. Shoulder injury; Fractured left scapula and clavicle; Arm and hand injuries

PERTINENT INFORMATION: The plaintiff's husband made a loss of consortium claim

AMOUNT: \$2,000,000 (King Co., WA)

CASE: Rothenberger v. Kent School District (KSD), 2013 WA Jury Verdicts & Sett. LEXIS 133 (April 18, 2013)

CASE NUMBER: 10-2-41925-OKNT

JUDGE: Bill Bowman

MEDIATOR: Bruce Hilyer

EXPERTS: Dr. Douglas Hanel (treating orthopedic surgeon), Dr. Marc Kirschner (neurologist), Seattle, WA, Robert Anderson Ph.D. (metallurgist) Los Altos Hills CA, Mark Lawless (construction safety) Seattle, WA, Richard Gill Ph.D. (human factors) Spokane, WA, Gary Rushing Ed.D. (wrestling/Sports Safety) Mankato MD, William Brandt (Economist) Bainbridge Island; Theodore Becker Ph.D. (physical capacities) Everett; Anthony Choppa (Life Care Planner/Vocational Rehabilitation) Bothell; Jay Syverson (Accident Reconstructionist) Seattle, WA

for the plaintiff; Dr. Alfred Blue (orthopedic surgeon) Seattle, WA, William Partin (economist) Bellevue, WA, Carl Gann (life care planner/vocational rehabilitation) Tacoma, WA, Susan Evans (industrial hygienist) Seattle, WA, Erin Harley Ph.D. (human factors) Bellevue, WA, Brandon Erickson (structural engineer) Vancouver, WA for the defendant

ATTORNEYS: Ron Perey, Doug Weinmaster & Jim Holland, Perey Law Group, Seattle, WA for the plaintiff; Bob Christie, Christie Law Group, Seattle, WA for the defendant

INJURED PARTY: 15 year old male

EVENT: The plaintiff's left arm was nearly amputated during wrestling practice

SPECIFIC INJURY: Left arm injury; near amputation at the shoulder

PERTINENT INFORMATION: The parties settled for \$2,000,000. The plaintiff claimed medical past expenses of \$200,000, \$113,000 (estimated) future and life care expenses, lost wages of \$24,000 to \$75,000 past lost wages and benefits (not claimed), and \$675,000 to \$1,100,000 present value of future lost wages and benefits

AMOUNT: \$575,000 (Pierce Co., WA)

CASE: John and Linda Fogle v. Korum Automotive Group, Inc., 2015 WA Jury Verdicts & Sett. LEXIS 161 (Oct. 23, 2014)

CASE NUMBER: 14-2-05956-1

JUDGE: Stanley Rumbaugh

EXPERTS: Robert Pfarr, Safety Management, Seattle, WA, Cloie Johnson, vocational rehabilitation/life care planner, Bothell, WA for the plaintiff; Dr. Theresa McFarland, orthopedic Surgeon, Bremerton, WA for the defendant

ATTORNEYS: Nathan Roberts, Connelly Law Offices, Tacoma, WA for the plaintiff; Michael Jaeger of Lewis Brisbois Bisgaard & Smith, Seattle, WA for the defendant

INJURED PARTY: 68 year old female

EVENT: As the plaintiff was walking across the parking lot at the defendant's car wash, a car driven by the defendant's employee struck the plaintiff

SPECIFIC INJURY: Fractured arm, hip, neck

PERTINENT INFORMATION: The plaintiff claimed past medical expenses of \$94,292 and future and assistive care of \$50,468. Her husband made a loss of consortium claim

§ 3.02

ARM INJURIES

§ 3.02 Adequate

AMOUNT: \$1,000,000 (Jefferson Co., AL)

CASE: Jones v. Ken's Auto Salvage, 2014 AL Jury Verdicts Rptr. LEXIS 76 (J 13, 2014)

CASE NUMBER: 10-900139

JUDGE: Donald E. Blankenship

EXPERTS: Not published

ATTORNEYS: Charles H. Boohaker, Charles H. Boohaker, P.C., Birmingham AL for the plaintiff; defendant appeared pro se after defense counsel withdrew

INJURED PARTY: 36 year old female

EVENT: While the plaintiff was visiting as visiting the defendant's auto salvage company, several unrestrained dogs charged at her, knocked her down, and bit her

SPECIFIC INJURY: Lacerations to lip; back of scalp, right cheek and broke upper left arm, and legs

PERTINENT INFORMATION: The defendant did not appear when the plaintiff presented her case for trial. The court entered a default judgment against the defendant and awarded the plaintiff \$500,000 in compensatory damages and \$500,000 in punitive damages

AMOUNT: \$1,000,000 (Mobile Co., AL)

CASE: Gerald Simoneau v. United Parcel Service, Inc., 2014 AL Civil Trial Rpt LEXIS 292 (Aug. 28, 2014)

CASE NUMBER: CV-2012-901209

JUDGE: Michael A. Youngpeter

EXPERTS: Not published

ATTORNEYS: Lucy E. Tufts and Robert L. Mitchell of Cunningham Bounds LLC, Mobile, AL for the plaintiff; Brent Ross and Pamela Springrose of Carr Allison, Birmingham, AL; O. Daniel Ansa of Ansa Assuncao, LLP, Philadelphia PA for the defendant

INJURED PARTY: Male

EVENT: The plaintiff alleged that the defendant UPS driver attempted to cross all four lanes of traffic, pulled out in front of plaintiff, causing the plaintiff to strike the side of the UPS truck

SPECIFIC INJURY: Five broken ribs; broken clavicle; broken sternum, permanent arm injuries; chipped tooth

AMOUNT: \$956,834 (San Francisco Co., CA)