# [***Diana Fisher v. Matthew MacDonald and Overnite Transportation; 2006 Mealey's Jury Verdicts & Settlements 336***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4KN6-BK60-0223-Y0MC-00000-00&context=)

05-00331

March 31, 2006

**Headline:** New Jersey Federal Auto Case Settles For $153,500

**Result:** $153,500 settlement ($95,000 from Overnite Transportation to Diana Fisher for pain, suffering and damages; $25,000 from Fisher to Overnite for damages; $8,500 from Overnight to Sentry Insurance Co., as subrogee of Malouf Buick for property damage; $25,000 from Overnite to Motors Insurance Co. as subrogee of Malouf Buick for property damage)

**Court:** D. N.J.

**Judge:** Garrett E. Brown Jr.

**Plaintiff Profile**

Diana Fisher

**Defendant Profile**

Matthew MacDonald and Overnite Transportation

**Plaintiff Counsel**

David M. Foley, Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, North Brunswick, N.J

**Defendant Counsel**

Michael John Palma, Nowell, Amoroso, Klein & Bierman, Hackensack, N.J

**Case Summary**

**Claim:** Negligence

**Background:** Diana Fisher was driving her ***car*** on Adams Lane in North Brunswick, N.J. As she crossed through a four-way intersection that was controlled by a traffic light, she was struck by an Overnite Transportation tractor-trailer driven by Matthew MacDonald. The impact caused MacDonald s tractor-trailer to crash into Malouf Buick, causing damages to a 25-foot light pole and the lawn. Fisher said her injuries included a pelvic fracture, two rib fractures, a concussion, forehead lacerations, contusions and abrasions.Both parties claimed that they had the green light at the time of the ***accident***.After Fisher filed her initial claim, Matthew MacDonald and Overnite Transportation filed counterclaims against Fisher, Sentry Insurance, representing Malouf Buick, filed counterclaims against Overnite Transportation, and Motors Insurance Co., representing Malouf Buick, filed counterclaims against Overnite Transportation. The case was originally filed in the Middlesex County, N.J., Superior Court, Law Division, but was removed to the U.S. District Court for the District of New Jersey on Jan. 19, 2005.

**Defense:** Allegations denied. Defendant was not negligent. Fisher was the negligent party because the traffic signal for Adams Lane was not green at the time of the ***accident***.

**Key Related Documents**

Stipulation of settlement available.Document #99-060731-222P.

Answer to counterclaim available.Document #99-060731-223M.

Answer to complaint available.Document #99-060731-224M.

Complaint available.Document #99-060731-225C.

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LexisNexis Jury Verdicts and Settlement Report

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