# [***Elaine Fernandes v., Gary Truelove, et al; 2007 Mealey's Jury Verdicts & Settlements 1773***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4NTH-H4K0-0223-Y041-00000-00&context=)

BER-L-14309-04

April 25, 2007

**Headline:** New Jersey Woman Injured In Auto ***Accident*** Settles For $490,000 In State Court

**Result:** $490,000 settlement

**Injury:** Torn meniscus in knee, herniation at L4-5, laminectomy, radical diskectomy and forminatomy procedures in L3 to S1 regions of the spine, spinal leak

**Court:** N.J. Super., Bergen Co.

**Judge:** Robert L. Polifrani

**Plaintiff Profile**

Elaine Fernandes

**Defendant Profile**

Gary Truelove, Israel Cruz, Power Electric Inc., Mechanical Preservation Associates

**Plaintiff Counsel**

Thomas Randall, Randall, Randall & Stevens, Westwood, N.J

**Defendant Counsel**

For Truelove - Emery J. Mishky, Margolis Edelstein, Berkeley Heights, N.J. For Cruz - Randall Bruckman, Law Office of Brigid Hagerty Farley, East Hanover, N.J

**Case Summary**

**Claim:** Auto negligence

**Background:** Sources told Mealey Publications that on a snowy, icy March 6, 2003, Elaine Fernandes was waiting to make a left turn from Polifly Road in Hackensack, N.J., onto Marvin Avenue. Waiting directly behind Fernandes, sources said, was a Power Electric Inc. van driven by Israel Cruz, and directly behind Cruz was a Mechanical Preservation Associates van driven by Gary Truelove. As Fernandes waited to make the turn, she was struck from behind and then on the driver's side door, sources said. Sources said Fernandes claimed that Truelove hit Cruz's van, pushing it into Fernandes' ***car***, and then Cruz swerved into oncoming traffic and hit Fernandes' driver's side door.Sources said Fernandes hit her head and tore the meniscus ligament in her knee, which required arthroscopic surgery. Fernandes also injured her back and neck, including a herniation at L4-5, sources said. Sources said Fernandes had a laminectomy, radical diskectomy and forminatomy procedures in the L3 to S1 regions of her spine. Fernandes also had a spinal leak patched and a cyst removed, sources said. As a result of the ***accident***, sources said, Fernandes has sciatic pain down her back and some days must use a cane to walk.Fernandes sued Truelove, Cruz, Power Electric and Mechanical Preservation Associates in April 2004 in the Bergen County Superior Court.

**Other:** Sources said Truelove agreed to 70 percent liability and would pay $343,000 of the settlement and Cruz admitted to 30 percent liability and would pay $147,000.

**Defense:** Liability admitted.

**Plaintiff Expert(s)**

None called

**Defendant Expert(s)**

None called

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