# [***Pierre Houde v. Donald Applegate; 2006 Mealey's Jury Verdicts & Settlements 943***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4M6G-XFJ0-0223-Y1DY-00000-00&context=)

ATL-L-3885-04

Oct. 4, 2006

**Headline:** Jury Awards New Jersey Man $250,000 For Injuries Suffered In ***Car*** ***Accident***

**Result:** $250,000 plaintiff verdict (capped at $100,000)

**Court:** N.J. Super., Atlantic Co.

**Judge:** Nelson Johnson

**Plaintiff Profile**

Pierre Houde

**Defendant Profile**

Donald Applegate

**Plaintiff Counsel**

Frank Tomasello Jr., Perskie, Wallach, Fendt & Holtz, Northfield, N.J

**Defendant Counsel**

Catherine Mesiano, Hurvitz & Waldman, Pleasantville, N.J

**Case Summary**

**Claim:** Auto negligence

**Background:** Sources told Mealey Publications that on Aug. 13, 1996, Pierre Houde was driving his ***car*** on Mill Road in Abescon, N.J., when he saw the ***car*** ahead of him making a left turn and he stopped behind that vehicle. Houde then looked in his rear-view mirror and saw a ***car*** driven by Donald Applegate coming toward him and not slowing down, sources said. Sources said Houde tried to pull over to the side of the road but couldn't do so in time and Applegate struck Houde and the ***car*** in front of him.Sources said Houde suffered a herniated disc. An MRI showed the herniation, sources said, but a myelogram did not. Sources said Houde was forced to give up his hair styling business because of arm and shoulder pain and not being able to lift or sit for long stretches of time. Houde is now a salesman, sources said. Sources said the defense argued that Houde had a pre-existing spinal condition.Houde sued Applegate on Dec. 7, 2004, in the Atlantic County, N.J., Superior Court.

**Other:** Sources said that the first claim in this case was initially filed Aug. 6, 1998, and that the case lay dormant for six years while Applegate served in the U.S. Air Force. Houde, sources said, agreed to a waiver in 1998 surrendering the statute of limitations of two years for the case in exchange for being able to refile his complaint when Applegate was discharged from the military.Applegate agreed to admit to liability in return for Houde not collecting any settlement above Applegate's $100,000 Allstate policy limit, sources said.

**Defense:** Liability admitted.

**Plaintiff Expert(s)**

Andrew Glass, M.D., neurologist, Somers Point, N.J

**Defendant Expert(s)**

Daniel DeMeo, M.D., orthopedist, Northfield, N.J. Roger Berg, M.D., radiologist, Short Hills, N.J

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LexisNexis Jury Verdicts and Settlement Report

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