# [***Stanley Majocha v. New Jersey Manufacturers Insurance Co., et al; 2007 Mealey's Jury Verdicts & Settlements 2344***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4P3K-J120-0223-Y113-00000-00&context=)

UNN-L-3206-05

Jan. 31, 2007

**Headline:** Motorist Settles Uninsured Motorist Claim In New Jersey State Court For $250,000

**Result:** $250,000 settlement

**Injury:** Herniated discs at L4-5 and L5-S1

**Court:** N.J. Super., Union Co.

**Judge:** Marianne Espinosa

**Plaintiff Profile**

Stanley Majocha

**Defendant Profile**

New Jersey Manufacturers Insurance Co., Selective Insurance Group Inc

**Plaintiff Counsel**

Victor J. Horowitz, Law Office of Victor J. Horowitz, Piscataway, N.J

**Defendant Counsel**

For Selective Insurance - Louis J. DeMille Jr., Romando, Astorino & DeMille, Hamilton, N.J. For NJM - Daniel J. Pomeroy, Mortenson and Pomeroy, Springfield, N.J

**Case Summary**

**Claim:** Underinsured motorist claim

**Background:** Sources told Mealey Publications that on Nov. 20, 2001, Stanley Majocha was driving a commercial van on U.S. Route 27 near the intersection with New Dover Road in Colonia, N.J., when he was rear-ended by a ***car*** that was out of control; the impact caused Majocha's ***car*** to flip over.Sources said Majocha claimed that he suffered herniated discs at L4-5 and L5-S1. Sources said for the first two years after the ***accident***, Majocha had few back problems because of the ***accident***. However, in 2003 sources said Majocha resumed treatment with a chiropractor and pain management doctor.The injuries also caused Majocha to give up his lucrative cabinet-making business because he could no longer lift wood or make deliveries, sources said. Before the ***accident***, Majocha claimed that he made more than $500,000 a year, but after the ***accident***, his income fell to about $12,000.Sources said there was no dispute on liability because the underlying claim was settled for $15,000 with the other driver's insurance company, Prudential. Instead, sources said Majocha filed an underinsured motorist claim with his own carrier, New Jersey Manufacturers Insurance Co. (NJM), and the insurance carrier for the commercial van, Selective Insurance Group Inc. Sources said both carriers rejected Majocha's claims.Majocha sued NJM and Selective Insurance on Sept. 2, 2005, in the Union County, N.J., Superior Court.

**Other:** Of the settlement, Selective Insurance paid $200,000 and NJM contributed $50,000, sources said.Sources said a nonbinding arbitration award of $330,000 was granted but rejected by NJM and Selective Insurance. NJM had demanded a trial de novo from the arbitration award and was able to save about $75,000 of its pro rata share of the settlement by taking the case to court, sources said.

**Defense:** Allegations denied; Majocha not as injured as claimed.

**Plaintiff Expert(s)**

Marvin E. Friedlander M.D., orthopedist, Union, N.J. (expected to be called if case went to trial) Edmond A. Provder, vocational rehabilitation expert, New York (expected to be called if case went to trial)

**Defendant Expert(s)**

Michael J. Bercik, M.D., orthopedic surgeon, Elizabeth, N.J. (expected to be called if case went to trial)

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