# [***Stephanie M. Fernandez v. Delfim L. Carvalho; 2006 Mealey's Jury Verdicts & Settlements 594***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4KXM-6360-0223-Y108-00000-00&context=)

L-003047-04

April 29, 2006

**Headline:** New Jersey Woman Settles Auto ***Accident*** Claim For $95,000

**Result:** $95,000 settlement

**Court:** N.J. Super., Union Co.

**Judge:** Douglas M. Fasciale

**Plaintiff Profile**

Stephanie M. Fernandez

**Defendant Profile**

Delfim L. Carvalho

**Plaintiff Counsel**

Robert Carroll, Murgado & Carroll, Elizabeth, N.J

**Defendant Counsel**

William D. Merritt Jr., Law Offices of Doreen Ryan, Cranford, N.J

**Case Summary**

**Claim:** Auto negligence

**Background:** Stephanie M. Fernandez said she was driving east on North Avenue East near the intersection with Dowd Avenue in Elizabeth, N.J., on Sept. 23, 2002, when her vehicle was side-swiped by a ***car*** driven by Delfim L. Carvalho. The collision caused Fernandez's ***car*** to careen off the road and strike a utility pole head-on. Among the injuries Fernandez suffered were partial disc desiccation in her spine, disc protrusion with nerve root compression, disc herniation, posterior capsulities, temporal tendonitis, stylomandibular ligament sprain, articular disc disorder and traumatic arthropathy. After the ***accident***, Fernandez said, she suffered from headaches, neck pain, dizziness and lightheadedness, occasional difficulty opening her mouth, pain when yawning, grinding of teeth, shoulder pain, back pain and depression. Fernandez sued Carvalho in the Union County, N.J., Superior Court on Aug. 19, 2004.

**Other:** Sources told Mealey Publications that Carvalho stipulated to liability and that the trial was for damages only. The jury awarded $100,000, sources said, and Carvalho's insurance company, Allstate, offered $95,000, which Fernandez accepted. Sources said Fernandez claimed that she was a dancer and that her back injuries would prevent her from dancing. Sources said Carvalho offered $5,000 before the trial to settle.

**Defense:** Allegations of long-term permanent injuries denied.

**Plaintiff Expert(s)**

Maria M. Silva, chiropractor, Elizabeth, N.J. Jay Garsman, M.D., radiology, Cliffside Park, N.J

**Defendant Expert(s)**

Michael J. Bercik, M.D., orthopedic surgeon, Elizabeth, N.J

**Key Related Documents**

Order for judgment available.Document #99-060821-219R.

Complaint available.Document #99-060821-220C.

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LexisNexis Jury Verdicts and Settlement Report

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