# [***Wallace Harper v. Jozef Pietrus and Tomasz Mislurski; 2006 Mealey's Jury Verdicts & Settlements 1188***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4M9G-R7K0-0223-Y1RT-00000-00&context=)

PAS-L-004197-04

June 6, 2006

**Headline:** $17,500 Verdict Reached In Case Of New Jersey Man Injured In Auto ***Accident***

**Result:** $17,500 plaintiff verdict

**Court:** N.J. Super., Passaic Co.

**Judge:** Joseph J. Riva

**Plaintiff Profile**

Wallace Harper

**Defendant Profile**

Jozef Pietrus and Tomasz Mislurski

**Plaintiff Counsel**

Marco Laracca, Bio & Laracca, Orange, N.J

**Defendant Counsel**

Mark Trudeau, Leary, Bride, Tinker & Moran, Cedar Knolls, N.J

**Case Summary**

**Claim:** Auto negligence; verbal threshold

**Background:** Sources told Mealey Publications that on May 5, 2003, Wallace Harper was driving his truck in Elmwood Park, N.J., when he made a left turn onto a side street and collided with a ***car*** driven by Jozef Pietrus and owned by Tomasz Mislurski.Sources said Harper claimed that he looked to his right before he made the turn and didn't see anyone. However, sources said, as Harper made the turn, he saw Pietrus coming up over the hump of a railroad track.Harper suffered a herniated disc and a bulging disc, which he treats with epidural injections, sources said. Sources said Harper lost a few weeks of work as a construction worker.Harper sued Pietrus and Mislurski on Sept. 20, 2004, in the Passaic County Superior Court.

**Other:** Sources said the case was tried on liability only and the parties stipulated to damages. The jury found the plaintiff 50 percent liable and the defendants 50 percent liable, so the actual amount was $8,750, sources said.The jury deliberated for 30 minutes, and the trial lasted two days, sources said.Sources said Pietrus died of unrelated causes before the trial. The defense moved to admit a statement Pietrus made to an insurance carrier that he was obeying the speed limit and Harper's truck came out of nowhere, sources said. Sources said the plaintiff's attorney argued that it was hearsay and that Pietrus could not be cross-examined, but the judge allowed the jury to hear the statement.

**Defense:** Allegations denied.

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