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Personal Injury Attorneys

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ABC Insurance Company, Claims Department, 1500 Insurance Plaza, Los Angeles, CA 90015

Re: Claim for Damages – Case 2024-PI-001

Case Type: Personal Injury - Motor Vehicle Accident

Dear Claims Adjuster:

This letter constitutes a demand for settlement in the above-referenced matter.

Statement of Facts

This letter is submitted on behalf of John Smith, the plaintiff, regarding injuries and damages sustained in a rear-end motor vehicle collision that occurred on March 15, 2024, at the 1200 Block of Main Street, Springfield, CA. The defendant, Sarah Johnson, insured by ABC Insurance Company, struck Mr. Smith's vehicle while he was lawfully stopped at a traffic light. This demand outlines the facts, liability, injuries, treatment, and damages resulting from the incident.

Injuries Sustained

As a direct result of the collision, Mr. Smith suffered soft tissue injuries to his lower back, neck, and right shoulder. He was evaluated at Springfield General Hospital and subsequently treated by Dr. Michael Jones at Central Valley Medical Group. Treatment included physical therapy, diagnostic imaging (MRI), and prescription medication. Mr. Smith completed 12 weeks of medical care and was left with mild residual right shoulder dysfunction and a 5% permanent partial impairment. He was cleared for return to work with restrictions on lifting and overhead activity.

Damages Claimed

1. **Medical Expenses (Known):** \$8,950.00.

2. **Lost Wages (Known):** \$4,940.00.

3. **Pain and Suffering / Non-Economic Damages:** Mr. Smith endured significant pain, suffering, and inconvenience as a result of his injuries. He experienced daily discomfort, sleep disruption, and limitations in performing routine activities and work duties. The injuries also caused emotional distress and impacted his quality of life during the recovery period. He continues to experience occasional flare-ups and mild dysfunction in his right shoulder.

Total Economic Damages (Known): \$13,890.00.

Settlement Demand

Based on the clear liability and the documented damages, we demand the sum of **\$45,000.00** to settle this matter in full.

This demand reflects the clear liability of the defendant, the full extent of Mr. Smith's medical expenses (\$8,950), lost wages (\$4,940), and the significant pain, suffering, and permanent partial impairment suffered by Mr. Smith. The total economic damages are \$13,890. Given the ongoing symptoms, permanent impairment, and impact on quality of life, a total settlement of \$45,000 is reasonable and supported by the evidence.

Liability Analysis

Liability in this matter is clear and undisputed. The police report confirms that Sarah Johnson rear-ended John Smith's vehicle while he was stopped at a red light. The defendant admitted fault at the scene, and there is no evidence of contributory negligence by Mr. Smith. The collision was caused by Ms. Johnson's distracted driving, specifically cell phone use at the time of the accident.

Supporting Documentation

- Police Report - SPD Report #789 - Traffic Collision - police_report_incident_789.pdf, p.1 p.1
- Police Report - SPD Report #789 - Traffic Collision - police_report_incident_789.pdf, p.6 p.6
- Insurance Correspondence - ABC Insurance Communications - insurance_correspondence.pdf, p.1 p.1
- Medical Records - Dr. Michael Jones - Central Valley Medical Group - medical_records_dr_jones.pdf, p.1 p.1
- Medical Records - Dr. Michael Jones - Central Valley Medical Group - medical_records_dr_jones.pdf, p.4 p.4
- Insurance Correspondence - ABC Insurance Communications - insurance_correspondence.pdf, p.4 p.4
- Wage Statements and Employment Records - Pacific Construction - wage_statements_2024.pdf, p.1 p.1
- Wage Statements and Employment Records - Pacific Construction - wage_statements_2024.pdf, p.4 p.4

Time Limit for Response

Please respond with a settlement offer within **30 days** of receipt. If we do not receive a reasonable offer, we will pursue all appropriate legal remedies.

Closing Statement

We believe this matter can be resolved amicably through reasonable negotiations. Our client deserves fair compensation for the injuries and losses sustained.

Sincerely,

Robert Martinez, Esq.

Senior Partner

Martinez & Associates, LLP

New York Bar #

Enclosures: Medical records, police report, witness statements, photographs, employment records, expert reports