

MARTINEZ & ASSOCIATES, LLP

Personal Injury Attorneys

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2024-06-10

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 our client, John Smith, 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. Mr. Smith was lawfully stopped at a traffic light when he was struck from behind by your insured, Sarah Johnson. The police report and your own investigation confirm that Ms. Johnson was distracted by her cell phone at the time of the accident and has admitted fault. As a result of this collision, Mr. Smith suffered significant injuries, incurred substantial medical expenses, and experienced a loss of income.

Injuries Sustained

As a direct result of the collision, Mr. Smith suffered severe lower back pain, neck stiffness, and right shoulder pain. He was evaluated in the emergency department at Springfield General Hospital and subsequently treated by Dr. Michael Jones at Central Valley Medical Group. Diagnostic imaging, including MRI, confirmed soft tissue injuries. Mr. Smith underwent 12 weeks of physical therapy, pain management, and follow-up care. Medical records and bills are enclosed to substantiate the nature and extent of his injuries and treatment.

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 and suffering as a result of his injuries. He experienced daily pain, sleep disturbances, and limitations in his ability to perform daily activities and work duties. The impact on his quality of life was substantial during the 12-week recovery period and continues to some extent. Compensation for pain and suffering is warranted in light of the severity and duration of his symptoms.

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 total economic damages of \$13,890 (medical expenses and lost wages), plus compensation for pain and suffering, emotional distress, and loss of enjoyment of life. The amount is supported by the clear liability, documented injuries, and the impact on Mr. Smith's life. Comparable cases in this jurisdiction support a settlement in the requested range.

Liability Analysis

Liability in this matter is clear and uncontested. The police report documents that Ms. Johnson rear-ended Mr. Smith while he was stopped at a red light. Ms. Johnson has admitted to being distracted by her cell phone at the time of the collision. Your company has acknowledged fault in its correspondence. There are no allegations of comparative negligence against Mr. Smith.

Supporting Documentation

- Police Report - SPD Report #789 - Traffic Collision - police_report_incident_789.pdf p.1
- Police Report - SPD Report #789 - Traffic Collision - police_report_incident_789.pdf p.6
- Insurance Correspondence - ABC Insurance Communications - insurance_correspondence.pdf p.1
- Medical Records - Dr. Michael Jones - Central Valley Medical Group - medical_records_dr_jones.pdf p.1
- Insurance Correspondence - ABC Insurance Communications - insurance_correspondence.pdf p.4
- Insurance Correspondence - ABC Insurance Communications - insurance_correspondence.pdf p.6

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