

# 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 the motor vehicle collision that occurred on March 15, 2024, at the 1200 Block of Main Street, Springfield, CA. Mr. Smith was rear-ended by your insured, Sarah Johnson, while lawfully stopped at a traffic light. As a result of this collision, Mr. Smith sustained significant injuries, incurred substantial medical expenses, and suffered wage loss. We hereby present a demand for settlement of his bodily injury claim.

### Injuries Sustained

As a direct result of the collision, Mr. Smith suffered soft tissue injuries to his back, neck, and right shoulder. He presented to the emergency room with severe lower back pain, neck stiffness, and right shoulder pain. Mr. Smith underwent 12 weeks of medical treatment, including physical therapy, diagnostic imaging, and follow-up care with Dr. Michael Jones. He has reached maximum medical improvement but continues to experience mild residual dysfunction in his right shoulder and occasional flare-ups of lumbar pain. Dr. Jones has assigned a 5% permanent partial impairment and imposed restrictions on heavy lifting.

### 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 this accident. He experienced daily pain, sleep disruption, and limited mobility for several months. The injuries impacted his ability to care for his family and participate in normal activities. He continues to experience occasional discomfort and activity restrictions due to his permanent partial impairment.

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

## Settlement Demand

Based on the clear liability and the documented damages, we demand the sum of **\$50,000.00** to settle this matter in full.

This demand reflects Mr. Smith's substantial economic damages totaling \$13,890 (medical expenses and lost wages), as well as his ongoing pain, suffering, and permanent partial impairment. The clear liability, documented injuries, and lasting impact on Mr. Smith's quality of life warrant a settlement of \$50,000.

## Liability Analysis

Liability in this matter is clear and undisputed. The police report confirms that Sarah Johnson, while distracted by cell phone use, rear-ended Mr. Smith's vehicle as he was stopped at a red light. Ms. Johnson admitted fault at the scene. The incident resulted in significant property damage and was investigated by the Springfield Police Department. The facts establish that your insured was solely responsible for the collision.

## 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