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VERDICTS & SETTLEMENTS

Woman broadsided, suffers brain injury in W.Va. crash

\$785,000 Settlement

The plaintiff, a Virginia resident, was severely injured in a motor vehicle collision on June 30, 2007. Her vehicle was broadsided by the defendant after he ran a red light on Route 340 in Jefferson County, W.Va.



WHITTINGTON

The plaintiff was taken by helicopter to INOVA Fairfax Hospital with the following injuries: traumatic brain injury, occipital condyle fracture and lateral mass fracture of C1, left sacral fracture, pubic symphysis fracture, a left tibia fracture requiring intramedullary rodding and anemia. She remained in Fairfax Hospital until July 10,

2007, when she was transferred to Winchester Medical Center for rehabilitation.

The plaintiff participated in a multi-disciplinary/interdisciplinary inpatient rehabilitation program until her discharge on July 18, 2007.

The plaintiff's medical expenses after hardware removal in 2009 totaled over \$120,000. Additionally, the plaintiff had a wage loss of \$5,000.

At the request of the plaintiff, Dr. John A. Bruno performed an independent medical examination and assigned the plaintiff a permanency rating of 10 percent attributable to her pelvis injury and a whole body impairment of 17 percent.

The case was filed in the Circuit Court of Jefferson County, W.Va. It settled at mediation with Judge Patrick Henry IV on Jan. 22, 2010, for \$685,000 with the UIM carrier Erie and the defendant's policy limits of \$100,000 from USAA for a total settlement of \$785,000.

[10-T-045]

Type of action: Personal injury

Injuries alleged: Traumatic brain injury, occipital condyle fracture, C1 fracture, left sacral fracture, pubic symphysis fracture and left tibia fracture

Name of case: Confidential

Court: Jefferson County Circuit Court (West Virginia)

Special damages: \$120,000 – medical bills; \$5,000.00 – lost wages

Verdict or Settlement: Settlement

Amount: \$785,000 (\$100,000 primary carrier; \$685,000 UIM)

Date: Jan. 22, 2010

Expert: John A. Bruno Jr.

Insurance carrier: USSA – primary; Erie – UIM

Plaintiff's attorney: John D. Whittington, Manassas