

CASE REPORT

Type of Case: Personal Injury – Motor Vehicle

Injuries Alleged: Spinal cord injury at T9-10, paraplegic

Name of Case: Confidential

Special Damages: \$1,401,533 in medical expenses; \$1,478,624 in past and future lost wages; and life care plan between 4-6 million dollars.

Verdict or Settlement: Settlement

Attorneys For Plaintiff: Irvin V. Cantor, Elliott M. Buckner, Stephanie E. Grana, M. Scott Bucci, and Jeffrey N. Stedman (Cantor, Stoneburner, Ford, Grana & Buckner, Richmond, VA.); Charles F. Purcell, Michael C. Kildoo (Purcell and Purcell, Louisa, VA.); D. Michael Mullori, Jr. (Woodbridge, VA.); and Carman A. Jacobs (Woodbridge, VA.)

Amount of Settlement: \$15,000,000.00

Facts of Case: The plaintiff, a 47 year old man, suffered a spinal cord injury at T9-10 that rendered him a paraplegic as a result of a motor vehicle crash.

Liability was hotly contested in this case. The defense argued that the driver of the defendant's vehicle had a sudden medical emergency, consisting of an unexpected seizure at the time of the crash. The plaintiff countered that it was not unexpected because the defendant had a history of a brain tumor and resection surgery. The defense position was that the driver had been seizure free for over one year prior to the crash and had a medical clearance to drive from his neurologist. The plaintiff position was that the driver had post – surgical encephalomalacia which put him at a risk of seizures.

Plaintiff's counsel conducted multiple focus groups, primarily to test various issues regarding liability. The focus groups provided plaintiff's counsel with helpful information to prepare for trial and ultimately to settle the case.