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Motorist suffers brain injury in Prince George collision

\$525,000 Settlement

The plaintiff was traveling eastbound on Route 35 in Prince George County, going home after working a night-shift at a manufacturing company in Richmond.

The defendant was traveling westbound on Route 35 and failed to navigate the curve in the road, crossing over into the eastbound lanes striking the plaintiff in a violent head-on collision. Both vehicles sustained significant property damage.

Witnesses interviewed by the plaintiff stated the defendant appeared to have fallen asleep. The defendant was a Virginia resident employed by an out-of-state corporation that went out of business prior to the plaintiff filing the complaint. The vehicle was owned by the corporation.

As a result of his traumatic injuries, the plaintiff was transported to Southside Regional Medical Center. Due to the kidney lacerations and suspected head injury, the plaintiff was transported by med-flight to VCU Medical Center. The plaintiff and witnesses at the scene reported the plaintiff sustained a brief loss of consciousness immediately after the accident. At VCU Medical Center, the plaintiff was hospitalized for three days. The plaintiff received sutures for the facial lacerations and he was kept for observation because of his numerous injuries and the suspected traumatic brain injury.



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matic brain injury.

The plaintiff was subsequently seen and treated by an ophthalmologist, orthopedic surgeon and plastic surgeon. He received three separate courses of physical therapy over two years. The plastic surgeon recommended a minor scar revision. No future orthopedic treatment was recommended. The plaintiff had a neuropsychological evaluation performed approximately two months after the accident.

Testing revealed a pattern of cognitive deficits consistent with post concussion syndrome. The plaintiff was then referred to a neuropsychiatrist for evaluation and treatment, where he was diagnosed with a traumatic brain injury and balance disorder. The plaintiff was treated for approximately seven months before being released to resume normal activities of daily living.

The plaintiff was out of work for approximately 11 months and had returned to working full time prior to the mediation.

The case settled a couple of weeks after the mediation. [10-T-191]

Type of action: Personal injury - automobile accident

Injuries alleged: Traumatic brain injury, corneal abrasion right eye, multiple facial abrasions, shattered right kidney with perinephric hematoma, four fractured ribs, pulmonary contusion, multiple soft tissue

injuries involving the cervical and lumbar spine and left knee medial ligament sprain

Name of case: Confidential

Court: Richmond Circuit Court

Special damages: \$118,096.09 (past and future medical of \$81,996.09 and lost wages of \$36,100)

Tried before: Mediation

Name of mediator: Frank N. Cowan

Verdict or Settlement: Settlement

Amount: \$525,000

Attorney for plaintiff: David E. Durrett, Richmond