

# Hood dislodges, blocks driver’s view in interstate rear-ender in Richmond

## \$850,000 Settlement

The plaintiff was traveling on Interstate 195 in Richmond at 9:15 a.m., when the hood of her car suddenly flew up and obstructed her view. According to the deposition testimony of several eyewitnesses, the plaintiff’s vehicle was still in the center travel lane stopped or traveling at less than 10 mph when the plaintiff’s vehicle was struck in the rear by the defendant, who was driving a corporately owned vehicle.

As a result of her traumatic injuries, the plaintiff was transported to VCU Medical Center, where she remained unconscious for 12 hours. The plaintiff remained in the hos-

pital for five weeks during which she experienced cognitive issues along with numerous medical complications. The plaintiff had no memory of the accident or her hospitalization.

The plaintiff received a short course of therapy after being discharged from the hospital and nine months later she underwent surgery to repair a humerus fracture. A subsequent MRI of the brain revealed the presence of bilateral frontal hemorrhages and white matter changes, as well as abnormalities in the corpus collosum.

The radiologist’s interpretation of the MRI findings was consistent



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with traumatic brain injury. Plaintiff was referred to Dr. O’Shannick for treatment of her cognitive problems associated with the traumatic brain injury and a life care plan was prepared by Susan Riddick-Grishan.

The defense argued that the plaintiff was guilty of contributory negligence for stopping her vehicle on the interstate without activating her hazard lights and for failing to move her vehicle out of the travel lane. The defendant identified several physicians to dispute the life care plan.

Trial was scheduled for the fall of 2008. The case settled subsequent to mediation. The defendant’s available coverage was \$1,000,000. [09-T-002]



**Type of Accident:** Automobile accident

**Type of Injuries:** Traumatic brain injury, sphenoid fracture, bilateral intraparenchymal hemorrhage, humerus fracture, scapula fracture

**Name of Case:** Confidential

**Court:** Richmond Circuit Court

**Special Damages:** Past medical expenses (\$196,885.32), future medical expenses (life care plan)

**Verdict/Settlement:** Settlement

**Mediator:** Robert L. Harris Sr.

**Amount:** \$850,000

**Plaintiff’s Experts:** Dr. Wm Aboutonos, Dr. William C. Broaddus, Dr. William Walker, Jeffrey S. Kruetzer, Ph.D., Dr. Gregory O’Shannick, Susan Riddick-Grishan and Ronald J. Smith Jr.

**Plaintiff’s Attorneys:** David E. Durrett and Jay Tronfeld, Richmond