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Auto Accident Settles For \$900,000 In Mediation

The plaintiff was driving her vehicle when a backhoe carrying a steel plate pulled out from behind a delivery truck, into the path of the plaintiff's vehicle, and the steel plate entered through the windshield, striking the plaintiff in the head. Plaintiff was taken to the hospital, where she was treated for a laceration above the left eye and released. Plaintiff filed suit against the driver of the backhoe and against the driver of the delivery truck. Plaintiff was referred by her primary care physician to a neuropsychologist for evaluation and treatment of a mild traumatic brain injury. Plaintiff subsequently showed cognitive defects on audio testing and had loss of peripheral vision in the left eye. Plaintiff was referred for a PET scan at Mount Sinai School of Medicine that revealed an area of decreased metabolic function. A three-dimensional model of the PET scan was created by engineers that showed a frontal lobe injury.

However, the defense contested the mild traumatic brain injury with experts Dr. John Taylor, Dr. David Cifu, Dr. Edward Peck, Dr. Geoffrey Cooper, Dr. Patricia Davis and Dr. Helen Mayberg, who negated the neuropsychological testing, vision testing, and PET scan. The defense also contested liability with reconstruction experts David McAllister, Stephen Chewing, Giuseppe Vozzolo and Walter Laird. Other defense experts included Dr. Robert Cook, Linda McKinley and H. Gray Broughton. [5-T-217]



TRONFELD

Type of Accident: Automobile accident

Type of Injuries: Laceration to skull w/associated nerve damage, mild traumatic brain injury, loss of peripheral vision in the left eye

Name of Case: Confidential

Court: Mediated by Frank Cowan, was pending in Circuit Court of the City of Richmond

Special Damages: \$30,038.49 Medicals, \$11,340.00 wage loss; \$132,324.24 Future medicals; \$436,800.00 Future wage loss.

Damages Awarded/Settled: settled in mediation

Amount: \$900,000

Plaintiff's Attorney: Jay Tronfeld, Richmond

Insurance Company: confidential