

Defense Verdict – Motor Vehicle Accident

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Walter J. Klimczak, III

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Walter J. Klimczak III and Francine L. Klarsfeld obtained a defense verdict on behalf of a truck driver following a jury trial in the Judicial District of New Haven of the Connecticut Superior Court.

The plaintiff claimed that a truck driver made an unsafe lane change from the center lane into the left lane and sideswiped the plaintiff's vehicle while traveling on I-95. The responding police officer testified that the damage depicted on post-accident photographs of the plaintiff's car were not present at the scene of the accident when he responded. Our client denied that he was ever in an accident, and denied that he was negligent.

The plaintiff claimed she suffered neck and back injuries and headaches as a result of the accident. The plaintiff treated regularly for her alleged soft tissue injuries and was assigned a permanency rating. Prior to and during the trial, the plaintiff made several inconsistent statements about the nature and extent of her injuries, which were highlighted during cross examination and closing argument. After a short deliberation following a two day trial, the jury returned a defense verdict, finding that the plaintiff had failed to prove that our client was involved in the motor vehicle accident and failed to prove that he was negligent.