

Motor Vehicle Accident – High Speed Rear-End Accident

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Kevin R. Kratzer

Boyle | Shaughnessy Law attorney Kevin Kratzer recently obtained a favorable verdict in a motor vehicle accident case, in which the defendant admitted negligence during trial in Hartford Superior Court. The defendant rear-ended the plaintiffs' vehicle at a high rate of speed, causing severe damage to both vehicles. The plaintiffs, an elderly married couple, were transported by ambulance for injuries to their neck, back, hip, and head. Shortly before the accident, the plaintiff (husband) had been diagnosed with ALS, but was in relatively good condition. He died approximately two years after the accident due to his neurological disease. The other plaintiff (wife) had treated for many years before the accident due to degenerative neck and back conditions, including multiple surgeries to her spine.

Both plaintiffs continued to treat after the accident, primarily for the alleged soft tissue injuries to their spine and knees. Both plaintiffs' received favorable opinions from their doctors that the claimed injuries were permanent and caused by the motor vehicle accident. Relying heavily on the prior and post-accident medical records obtained during discovery, the defendant disputed the nature, extent and cause of the plaintiffs' injuries. The medical tended to show that the ongoing treatment after the accident was due to pre-existing medical conditions of the plaintiffs, and not as a result of the motor vehicle accident. During trial, the defendant admitted that the plaintiffs sustained whiplash style injuries as a result of the accident, but argued that the medical records refuted the plaintiffs' claims that the alleged ongoing treatment, pain, and significant disruptions to their daily activities were caused by the accident. The plaintiffs' medical treatment after the accident amounted to approximately \$35,000.00.

The plaintiffs made a final pre-trial demand of \$190,000.00 to settle the case. Counsel requested an award of \$700,000.00 in damages from the jury during trial. The defendant offered \$105,000.00 to settle the case before trial. After a three day trial, the jury returned a total verdict of \$30,000.00.