Transportation – Mild Traumatic Brain Injury

SERVICES

Transportation Law

A defendant motor vehicle operator as he was merging into one of the busiest rotaries in the Boston area was successfully defended.

The plaintiff, while operating his motor vehicle, testified that he was in a rotary when the defendant driver entered the rotary without yielding causing the accident. The primary disputed issue was the credibility of both of the drivers. The defendant driver testified that as he entered the rotary he had plenty of space to enter the rotary in front of the plaintiff. As he was proceeding through the rotary, the defendant driver testified that the plaintiff moved his vehicle into the inner part of the rotary and attempted to pass the defendant driver in order to exit the rotary.

The plaintiff alleged he sustained a mild traumatic brain injury and a fractured ankle. Although there were no witnesses to the accident, inconsistencies with regard to the report of injuries at the scene as well as inconsistencies of the reported injuries during medical treatment led the jury to discredit plaintiff's version of events and entered a verdict in favor of the defendant. In addition, there was medical expert testimony offered on behalf of the defendant to refute the claimed mild traumatic brain injury.

©2026 Boyle Shaughnessy All Rights Reserved