

Transportation – Tractor-trailer Rear End Accident

SERVICES

Transportation Law

August 24, 2018

The plaintiff, while operating her motor vehicle, alleged that she was rear-ended by the defendant tractor-trailer driver. According to the plaintiff, she was taking a right-hand turn when the defendant driver struck the left rear of her vehicle. The plaintiff claimed that the defendant was negligent in following too closely and exceeding the speed limit.

The primary defense theory was that the motor vehicle accident was a simple accident without fault. The defense focused on the fact that the plaintiff, after turning off the roadway, stopped before she completed her turn, resulting in the rear of her vehicle sticking out in traffic. The tractor-trailer operator, despite his best efforts, was unable to avoid striking the rear of the plaintiff's vehicle.

Cervical fusion surgery to a 37-year-old at C4-C5, C5-C6 levels. It was undisputed that the plaintiff had no prior cervical symptoms or treatment.

The plaintiff alleged ongoing pain and suffering, loss of range of motion, loss of business opportunities, and inability to care for her minor son where she was a divorced single mother. The plaintiff claimed that her damages exceeded \$1 million.

During jury deliberations, the plaintiff reduced her demand to \$210,000.00. The last offer was \$200,000.00. The jury returned a verdict for the plaintiff for \$60,000.00, which was the total value of her medical bills.