

VERDICTS & SETTLEMENTS

Pair of passengers thrown from van in highway crash

Sue drivers of both vehicles involved \$948,000 settlement

On June 27, 2011, two male passengers were traveling to a jobsite when the van they were in on Route 495-South in Andover was cut off by another vehicle, causing the van driver to swerve into the median and flip the vehicle.

The men were tossed from the van and incurred severe and permanent injuries. One sustained multiple trauma injuries, including a pelvic fracture, right tibia fracture, an L1 vertebral body fracture, a bulbar urethral injury, severe head trauma, and numerous abrasions and hematomas.

The other passenger also suffered multiple trauma injuries, including a right clavicle fracture, multiple rib fractures,



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fractures at L1-L5 in his vertebrae, a right kidney laceration, and other abrasions and hematomas.

Both underwent lengthy courses of medical treatment, surgeries and physical therapy to recover from their injuries. Both were unable to work for six months but made substantial recoveries.

The plaintiffs brought personal injury claims against both the driver of the van and the driver of the other vehicle. The insurer of the van tendered the policy

limits, but the other contested liability and asserted that the driver of the van had been operating carelessly and caused the accident himself.

The parties mediated the claims and reached settlements of \$699,000 for one plaintiff and \$249,000 for the other.

Action: Motor vehicle negligence

Injuries alleged: Multiple trauma injuries

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (mediated)

Mediator: Brian Mone

Amount: \$948,000

Date: Jan. 31, 2013

Attorneys: Jeffrey N. Catalano and Eric Asquith, of Todd & Weld, Boston (for the plaintiffs)



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