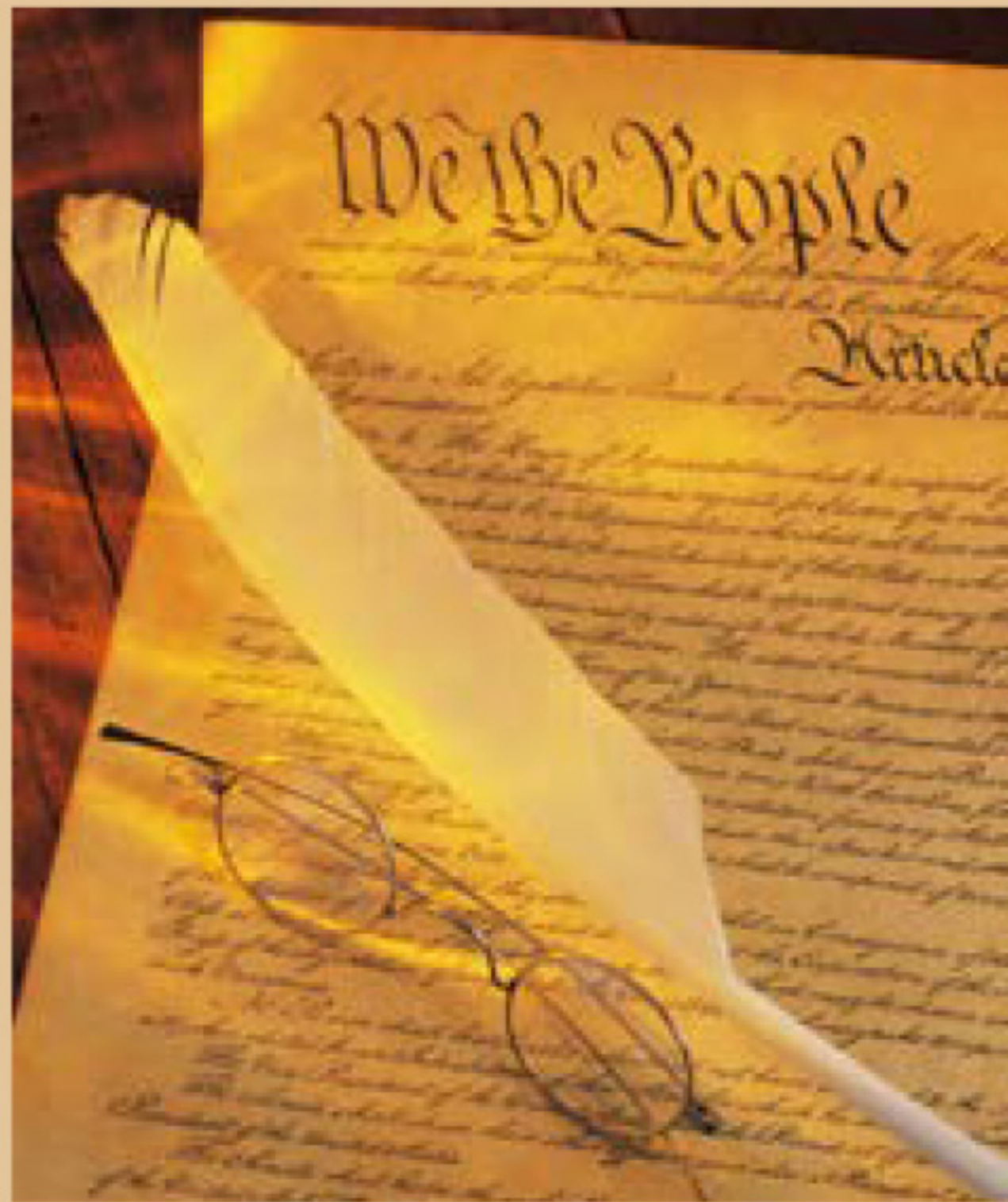


Traffic crash victim recovers claims under uninsured motorist coverage from reluctant insurance company

After deposition of the insured, insurance company tendered entire policy limits.



AUTOMOBILE ACCIDENTS
AVIATION & RAILROAD DISASTERS
BICYCLE & MOTORCYCLE ACCIDENTS
BOATING & WATERCRAFT INJURIES
COMMERCIAL/BUSINESS LITIGATION
CONSTRUCTION DISPUTES
INTELLECTUAL PROPERTIES
MASS TORTS
(DRUGS & MEDICAL DEVICES)
MEDICAL MALPRACTICE
PRODUCT DEFECT CASES
PROPERTY LIABILITY
PROFESSIONAL LIABILITY
TRUCKING ACCIDENTS
UNSAFE PRODUCTS
WILL & TRUST DISPUTES

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Kelly Robertson was a 26-year-old who worked in the neonatal intensive care unit (NICU) at a local hospital in Florida. In September 2014, she was driving her car around town and had stopped at a red light. When the light turned green, Kelly began making a left turn. Suddenly, another car slammed into the passenger side of Kelly's vehicle. The driver that caused the accident fled the scene immediately without leaving any information about himself and before anyone could record his tag. The hit-and-run driver was never identified. Kelly's car was significantly damaged and had to be towed from the scene. She went home after the incident, seemingly okay.

Kelly was scheduled to work the morning after the crash. As she was getting ready to leave home to go to the NICU, she began vomiting uncontrollably. Nonetheless, she managed to get to work, but shortly after arriving began vomiting again. She had a severe headache and the pain in her neck and back was increasing. She was sent to the hospital's emergency room for evaluation where she was diagnosed with a concussion and neck and back strains. She was given pain medication and sent home to rest.

Over the next few days, Kelly continued to experience excruciating pain in her neck and back, and the headaches continued. The pain was so severe that she could not sleep. She tried to return to her work at the NICU, but was unable to make it through a full shift. It was nearly impossible for her to stand for long periods of time to care for the newborn babies. This

was her first job out of school and she loved it. The excitement and joy of caring for newborns was now overshadowed by pain.

After trying several different therapies with no improvement, Kelly's doctor sent her to an orthopedic doctor for evaluation and treatment. Tests revealed that she had suffered a herniated disk in her neck resulting in radiating pain. For the next six months, Kelly was unable to work. She continued with pain management and therapies by numerous different specialists. She had to be placed under anesthesia repeatedly in order to receive epidural injections. Kelly had no history of neck or back pain. Before the collision, she ran and did yoga exercises regularly. Now she was unable to do either one.

Kelly contacted SDSBS attorney **Karen Terry** and asked for help in filing a claim against her own uninsured motorist carrier. The purpose of uninsured motorist coverage is to have protection if someone else is at fault for causing an accident and injuring you, and that person is uninsured, underinsured, or cannot be located. After filing a claim, Ms. Terry received a paltry offer from Kelly's insurance company. Ms. Terry then filed a lawsuit on Kelly's behalf. Defense counsel representing the insurance company immediately requested a deposition from Kelly. During the deposition, it became clear that Kelly was an intelligent, hardworking, honest, young woman, grievously injured by the accident. Days after the deposition, the entire policy limits were tendered by her insurance company. ♦