

Parking lot accident results in injuries requiring surgery and months of nursing care and therapy

Driver accelerated as passenger attempted to enter the car; negligent liability case settled for \$887,500.

In January 2020, Steve Smith (not his real name) was preparing to play tennis at a community center with a group of men, as he did every Thursday morning. Rick Roberts (not his real name) drove the group to the center that day. Upon their arrival, they discovered that they were unable to play due to the condition of the courts. Back at the parking area, while Steve was attempting to enter the backseat of Rick's car, Rick suddenly and without warning accelerated. Steve was violently thrown from the car, hitting the asphalt with great force. He suffered serious and permanent injuries including a severe laceration to his left leg and a complete tear of the medial collateral ligament in his right knee.

Emergency surgery was required. Because of the seriousness of his leg wound, Steve was confined at home, enduring months of painful in-home daily nursing care, physical therapy, and wound treatment.

Devastated by his injuries and unsure of the legal options available to him, Steve and his wife contacted Searcy Denney attorney **Elise Sherr Allison** to request representation. Ms. Allison was compelled to file a lawsuit against the negligent driver. The parties proceeded to early mediation. Ms. Allison ultimately secured a settlement of \$887,500 for Steve without the need for protracted litigation. Although Steve will never fully recover from the traumatic experience, the settlement will provide financial security as he continues to recover from the injuries. ♦

Neck and spinal injuries caused by auto accident initially appeared to be minor and manageable

Months later, examination revealed extensive injuries requiring surgery and therapy.

On the morning of February 28, 2020, Chris Jones (not his real name) was driving eastbound in the right lane on Okeechobee Boulevard in West Palm Beach, Florida, when a passing driver suddenly swerved into Chris' lane and struck the left side of his car. Police were called to the scene of the accident and found the other driver at fault for failing to stay in the proper lane. Chris was initially dazed by the impact of the vehicles. Fortunately, he had been wearing his seatbelt.

Shortly after the accident, Chris began experiencing shooting pains when he tilted his head backward or rotated it from side to side. The range of motion in his neck and left shoulder was severely compromised. Optimistic about his ability to recover from the injury, Chris initially chose a conservative treatment path from a chiropractor. Electrical muscle stimulation and hot/cold packs applied to his neck brought only minor and temporary improvement.

Chris continued to experience neck pain, stiffness, and headaches. A cervical MRI was recommended, and the examination revealed disk herniations at two levels (C4-5 and C5-6) which impinged on his spinal cord. An MRI on his left shoulder revealed a rotator cuff tear. The doctor concluded



that the injuries were the result of the crash. Chris then began treatment with a neurosurgeon. After many months, however, the unrelenting pain persisted. Chris finally opted to undergo surgery to correct the spinal cord compression – an anterior cervical discectomy and fusion using a bone graft and plates. Following surgery, he spent nine months wearing a large neck brace to help the vertebrae grow together. He was not allowed to drive while wearing the brace. He continues to use a prescribed osteogenesis cervical stimulator at home to improve development of his bones.

Chris had always lived an active lifestyle which included waterskiing, boating, and other water sports. His life now is totally disrupted. His doctors have told him that he cannot waterski again simply because he cannot risk a fall. Because of the injuries Chris has suffered, he asked SDSBS attorney **Karen Terry** for guidance on dealing with the physical injuries and severe limitations caused by the at-fault driver. Prior to filing suit, and despite property damage of less than \$2,000, the parties reached a settlement of \$850,000. ♦