

# VERDICTS & SETTLEMENTS

FRIDAY, OCTOBER 14, 2016

## PERSONAL INJURY

### AUTO V. AUTO

Driving Under the Influence

**SETTLEMENT: \$3,000,000**

CASE/NUMBER:

*John Doe v. Jane Roe*

COURT/DATE: Confidential /  
Nov. 19, 2015

JUDGE: Hon. Russell A.  
Bostrom, Judicate West.

ATTORNEYS:

Plaintiff — **Earl Schurmer,  
Lauren R. Wood (The Law  
Offices of Schurmer and  
Wood, Oxnard).**

Defendant — Jeffrey A. Rector  
(LaFollette Johnson De Haas  
Fesler & Ames, Los Angeles).

MEDICAL EXPERTS:

Plaintiff — Barry Gustin,

M.D., toxicology, Berkeley; Gil  
Kryger, M.D., plastic surgery,  
Thousand Oaks; Alan Moelleken,  
M.D., orthopedic surgery, Santa  
Barbara; Russell Nelson, M.D.,  
orthopedics, Thousand Oaks.

FACTS:

Plaintiff John Doe was traveling  
home from work when defendant  
Jane Roe crossed over the center  
divider and ran into the driver's  
side of plaintiff's vehicle.

PLAINTIFF'S CONTENTIONS:

Plaintiff claimed that defendant  
was negligent and alleged  
punitive damages due to her  
driving while intoxicated.

DEFENDANT'S CONTENTIONS:

Defendant disputed the nature and  
extent of plaintiff's injuries and

alleged that he could not allege  
future lost earnings due to his  
immigration status.

INJURIES:

Plaintiff claimed that he  
suffered a lacerated spleen  
with resulting scarring as a  
result of surgical intervention,  
two fractured ribs, multiple  
soft tissue injuries and a  
herniated disc at L4-5 resulting  
in a lumbar decompression at  
that level.

RESULT:

The case settled for \$3 million,  
which included;  
\$263,208 in past medicals,  
\$353,300 in future medicals,  
\$57,436 in past loss earnings,  
and \$609,703 future loss  
earnings.