

## **Verdicts & Settlements**

### **Auto negligence case nets \$9M verdict**

#### **Plaintiff suffered amputation of both legs**

This was a contested liability car accident. Plaintiff's counsel noted there was minimal economic loss and, because Michigan is a No Fault state, the settlement was almost entirely for pain and suffering.

The plaintiff was a driver who lost both of his legs due to an interstate accident. He pursued negligence claims against multiple defendants, and the parties reached a settlement prior to trial for a total of \$9 million.

Christopher Norris, the plaintiff, was driving his vehicle on I-94 near the North Power Road Exit. His vehicle was struck by a vehicle owned by defendant True Green and driven by defendant Dan Cummings. The force of the collision pushed the plaintiff into the path of an oncoming tractor-trailer. The truck then struck plaintiff's vehicle and severed the car.

A vehicle owned by defendant Atsalis Brothers and driven by defendant August Ladensack was also involved in the accident.

The plaintiff suffered immediate amputation of one leg at the scene of the accident. His other leg was amputated after arriving at the hospital.

The plaintiff alleged that defendant Ladensack initiated the accident by striking the True Green vehicle, setting in motion the catastrophic accident.

Defendants Atsalis Brothers and Ladensack contended that defendant True Green's driver (defendant Cummings) swerved and cut off Ladensack's lane of travel. However, defendants True Green and Cummings contended that Cummings was stopped in traffic when defendant Ladensack failed to stop and struck the True Green vehicle. There was no dispute over the plaintiff's injuries.

**Type of action:** Auto negligence

**Type of injuries:** Double leg amputation (one above the knee; one below the knee)

**Name of case:** Norris v. Atsalis Brothers Painting Co., et al.

**Court/case no./date:** Macomb County Circuit Court; #03-3253-NI; July 22, 2005

**Name of judge:** Diane M. Druzinski

**Settlement amount:** \$9 million (\$8.2 million as to Atsalis Brothers/Ladensack; \$800,000 as to True Green/Cummings)

**Attorney for the plaintiff:** Steven M. Gursten

**Attorney for the defendant:** Withheld

**Name/city of most helpful experts:** All A. Bltar, M.D.

**Insurance carrier(s):** Zurich; AIG; Ohio Casualty

November 21, 2005