

## Verdicts & Settlements

# Motorcyclist struck by driver making U-turn

### Man is no longer able to work as electrician

### \$2.15 million settlement

The plaintiff was a 40-year-old motorcycle operator in Boston who was struck by a motorist making a U-turn across a double yellow line. Liability was not seriously contested.

Medical special damages were \$296,000. The plaintiff contended, with support from two orthopedic experts, that future treatment would cost approximately \$100,000. There was a \$200,000 loss of earnings from the accident to the time of mediation.

Future loss-of-earning capacity was approximately \$750,000 because the plaintiff can no longer work as an electrician and works instead as a programmer.

The case was well prepared for trial, although no date had been set. In total, the Plaintiff's attorneys hired six experts who would have testified to the far-ranging consequences of the injuries.

The client was a hard-worker, good historian and dedicated father. Since the June 17, 2017 accident, the client experienced considerable pain and suffering, had incurred economic loss that is ongoing, and works in a less satisfying, less physically demanding job. At trial, we would have asked the client to demonstrate his altered gait to the jury. We would then argue that the diminished ability to ambulate has very harmful effects on the client's damages in three ways: he has a loss of function of the leg; has had to make the change in jobs (leading to the economic loss); and can no longer pursue many physical activities that he once enjoyed.



Marsha Alban



Colleen M. Santora

**Action:** Motor vehicle negligence

**Injuries alleged:** Fractures of left tibial plateau/shaft and distal tibia

**Case name:** Withheld

**Court/case no.:** Suffolk Superior Court (no. withheld)

**Jury and/or judge:** N/A (settled)

**Amount:** \$2.15 million

**Date:** Aug. 15, 2019

**Attorneys:** Marsha J. Alban, Robert I. Feinberg and Colleen M. Santora, of Feinberg & Alban, Boston (for the plaintiff) Court/case no.: Suffolk Superior Court (no. withheld)

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