



A LEGAL PROFESSIONAL ASSOCIATION

## TRUCKING VERDICTS IN OHIO

### 1. Wrongful Death

Wrongful Death			
Venue/County	Year	Outcome	Summary
Cuyahoga County	Nov 2011	Verdict for trucking company and driver.	<p>Gary Burch was operating a tractor/double long trailer truck owned by his employer ABF Freight Systems Inc. west on I-480 in Warrensville Heights, Ohio at approximately 12:56 a.m. Burch allegedly saw a vehicle being operated by Plaintiff Thomas Grzely, 44, without any lighting or emergency flashers. He stepped on his brakes but the tractor-trailer struck the left rear of the Grzely's vehicle. Grzely was reportedly propelled 200 feet as a result of the collision and was pronounced dead at 2:44 a.m.</p> <p>ABF Freight brought suit against the Grzely's estate for the property loss and defendant and family filed a counter-claim asserting a wrongful death suit. After trial, the jury concluded that ABF's negligence was not the proximate cause of Grzely's death. <i>ABF Freight Systems Inc. v. Grzely</i>, 2011 WL 7417498 (Ohio Com.Pl. Nov. 8, 2011).</p>
Franklin	2010	\$1,014,456, less 40% comparative negligence	<p>Plaintiff -decendent was an employee of J.B. Hunt Transport. He was waiting in line to enter the Wal-Mart distribution center. He was walking from his parked truck to the customer's guard shack when another truck arrived at the facility. There were three entrance lanes into the distribution center. The lane closest to the guard shack was reserved for Wal-Mart trucks. The Defendant, who was in the Wal-Mart truck lane, was instructed by the security guard that he needed to be in one of the other lanes. As he proceeded to move the truck, he struck Plaintiff's decendent, who was then dragged approximately 65 feet before being run over by the right side trailer leg and</p>

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			right side tandem tires, suffering fatal injuries. Defendants contended that decedent was in a blind spot and could not be seen. Defendants further argued that decedent was comparatively negligent and should not have been driving a truck on the day of this incident due to a significant cardiac and orthopedic conditions. Defendants asserted that decedent was not feeling well that day, was moving slowly, and may have suffered cardiac symptoms, including dizziness or syncope, which may have caused him to stumble in front of Defendant's truck. Plaintiff's decedent was a married male in his early 60's. <i>Estate of Joseph Foreman v. U.S. Xpress, Inc., No. 09 CVC 021602. (June 2010).</i>
Tuscaroras	2010	\$3,661,750	Plaintiff's decedent was working as a truck driver, hauling a load of propane tanks which had been set in their cradles by Defendant. While stopped, decedent had to climb onto the second level to attach the hook of a hydraulic crane in order to unload the cradles. The 2,600 lb. cradle and tanks fell on top of decedent, crushing him to death. Plaintiff alleged that Defendant was negligent in its placement of the cylinders on the trailer, particularly one cradle overhanging the top deck of the drop deck trailer. Defendant contended that it was not liable in that any defect with the load was an observable defect. Defendant also argued that, pursuant to the FMCSRs, responsibility for the placement and securement of cargo with an observable defect lies with the truck driver. Plaintiff's decedent was a 64 year old married male who was employed as a truck driver. <i>Sandra Romig v. Worthington Industries, No. 2009 CT010080.</i>
Lucas	2008	Defense verdict	Plaintiff decedent, a tractor-trailer driver, collided with Defendant's train causing his death. Plaintiff alleged the railroad could have utilized different switching maneuvers so as to avoid using the crossing. Plaintiff also argued that Defendant should have shown lights from the locomotive back onto the coupled rail cars

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			and sounded its horn, even though the train had occupied the crossing for several minutes before the collision. Plaintiff asserted that the railroad owed a duty to make the rail cars on the crossing visible. Defendant denied it was negligent and contended decedent was responsible for the deadly crash. Plaintiff was a 62 year old male employed as a tractor-trailer driver. The jury allocated 51% negligence to the decedent driver and 49% to the Defendant railroad.
Summit	2008	\$800,000	Plaintiff decedent, a 71 year old woman diagnosed with mental retardation, died in a car accident when the vehicle she was riding in collided with the semi-truck on southbound I-77. The decedent resided at a senior citizen's home in Cuyahoga Falls. An employee of the senior citizens home was behind the wheel of a minivan, with unrestrained decedent in the front passenger seat when it collided with the semi-truck. The employee was reportedly driving at a high rate of speed. Plaintiff sued the senior citizens' home and the employee, alleging the employee's failure to maintain control of her vehicle and breaching her responsibility by failing to fasten the seatbelt around decedent. The parties stipulated that the employee was operating the minivan in the scope of her employment at the time of the collision. Defendants contended punitive damages were not warranted since her actions were not malicious, reckless or wanton. They also alleged that decedent died upon impact with no conscious pain and suffering. The Defendants also contested the extent of decedent's damages. The employees stipulated that she was negligent in causing the accident. <i>Corene Miller v. Charlotte Foster, et al., No. 2007-02-1184. (March 2008).</i>
Stark	2006	\$6 Million	Plaintiff decedent was working on the frame of this 1978 Ford truck which was equipped with a hydraulic dump bed manufactured by Defendant. While the bed was raised, he inadvertently touched an unguarded

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			control valve on the truck's cab, causing the release of the elevated truck bed. Plaintiff decedent was crushed to death against the truck's frame, in approximately 4 seconds. Plaintiff asserted products liability claims against Defendant. Defendant disputed liability and denied the product was defective. Defendant argued Plaintiff's decedent assumed the risk of his injuries when he failed to adhere to warnings on the dash of the truck and in the owner's manual warning him to block the raised dump bed before working underneath it. Further, Defendant asserted that Plaintiff decedent disregarded work experience and training he had received about blocking raised loads and disregarded direct personal warnings about working under the raised dump bed without blocking it. Defendant also argued his product ad been modified from its as-sold condition and the modification caused the accident. Plaintiff decedent was a 53 year old retired white male. At the time of his death, decedent was earning approximately \$30,000 per year. He was survived by his wife and three children. The break down of the jury verdict was \$5,992,300 for decedent's wrongful death, and \$7,700 for funeral expenses. <i>Sandra Ronske v. The Heil Co., No. 2004 CV 02534. (August 2006).</i>
Medina	2006	Defense verdict	Plaintiff decedent, a technician with Columbia Gas of Ohio, Inc., was working with a crew to tie in a supplier's gas line to a company gas line located near Ryan and Eastlake Road. While setting up, the crew placed a warning sign on Eastlake to warn oncoming motorists. As the crew was tearing the site down, decedent agreed to retrieve the sign. He drove his truck up and parked in the lane of oncoming traffic with his headlights on. He got out of his truck and was hit, probably while standing on the side of the road. Decedent was dragged almost 40 feet and died a few days later in the hospital. The tortfeasor was found to have a blood alcohol level of .237, almost three times the state limit. Plaintiff sued decedent's employer for intentional torts. She also sued the bar that the

<b>Wrongful Death</b>			
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			<p>tortfeasor had been drinking at before the accident under a Dram Shop Act claim. Columbia argued that it cared about safety and had set up the construction site in a safe and proper manner. Columbia contended that the cause of death was entirely or almost entirely due to the tortfeasors inebriation. Regarding the Dram Shop Claim, Plaintiff contended that under Ohio law, the bar should not have served the tortfeasor if he appeared intoxicated. Plaintiff's toxicology expert testified that, given the tortfeasor's blood alcohol level at the time of testing, he would have consumed seventeen shots of brandy. The tortfeasor had testified that he had only 3-5 double shots and that he was at the bar for an hour. The bar contended that the tortfeasor had been given only three single shots and the he had not appeared intoxicated at the time. The decedent's wife and daughters testified that his death ruined their lives and left a void in the family. Counsel had stipulated to \$850,000 for lost wages and services. The jury found in favor of the defendants but added a notation, with respect to Columbia, which read, "We agree that the intent was not in place but that negligence existed. We add this note to encourage the Defendant to change or enhance their policy or training."</p>
Franklin	2003	\$1,517,600	<p>Plaintiff's decedent was driving his motorcycle west on Grove Port Road in Columbus, OH. As he approached a T-intersection, a tractor-trailer heading south on the perpendicular road failed to stop at a stop sign. Decedent attempted to brake, but lost control and was ejected from the motorcycle. The truck driver fled the scene and in the process, ran over decedent's head and neck, killing him instantly. The driver attempted to conceal his actions by altering his log book and lying to the police about his involvement in the accident. Plaintiff's estate sued the driver for wrongful death and negligence and the driver's trucking company for wrongful death and negligent hiring. The Defendants argued that decedent, an experienced motorcyclist, could have taken evasive action to avoid the accident</p>

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			and that his response time was impaired by traces of alcohol and cocaine in his blood stream. The decedent, 42, was unemployed at the time of his death. He was not married, but did have a son. His estate sought compensatory damages for wrongful death and punitive damages. The jury awarded \$767,600 in compensatory damages and \$750,000 in punitive damages. <i>Estate of Robert Beavers v. Rush Transportation and Logistics, et al., No. 01CVC-12-12429, June 2003.</i>
Summit	2003	\$1,000,000	Plaintiff's decedent, age 17, was a belted passenger in an uninsured vehicle. Defendant's vehicle struck the middle of the flatbed tractor-trailer rig which had turned left in front of the vehicle in which decedent was riding. Decedent suffered fatal injuries in the accident. Defendant contended that the decedent was 100% responsible for the accident as he was speeding and did not brake in time to avoid the accident. Defendants claim that its driver had acted reasonably in attempting to turn. The jury assessed 100% responsibility for the accident to decedent's driver. <i>Gary Starr, et al. v. Ace Doran Hauling &amp; Rigging, et al., No. 2002-02-0796 (May 2003).</i>
Adams	2002	\$7,108,000	Defendant, a semi-truck driver, ran over a metal object on I-70 in Columbus. It punctured a hole in her left-side tire and left fuel tank. Despite hearing the scrapping noise under her truck for 15-30 seconds after the collision, she continued to drive for more than a mile, leaking diesel fuel on the highway. She finally stopped on an entrance ramp to I-71 south because she could not drive any further on her blown tire. Decedent was killed when he drove his motorcycle through a curve on the exit ramp and slid on the spilled diesel fuel. The Plaintiffs claimed that the truck driver did nothing during that 9 minute time period to solve the problem or warn anyone coming onto the ramp of the dangerous spill. The jury found that the truck driver and her employer, J.B. Hunt Transport, were

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			liable for the wrongful death and for the negligent infliction of emotional distress to his widow. They awarded a total of \$7.1 million, including \$5.5 million in punitive damages. <i>Estate of Warren Schmidt, et al. v. Sharon L. Derenia, et al.</i> , No. 01CVC-09-8904 (October 2002). NOTE: On appeal, court held that defendants were entitled to summary judgment on the punitive damages claim, reducing the jury verdict amount.
Cuyahoga	2001	\$681,000 less 24% comparative negligence (\$517,560)	Plaintiff's decedent was a pedestrian who was cutting across a vacant gas station lot. A tandem dump truck, which was owned by Defendant construction company, was parked in the vacant lot. As decedent proceeded to walk past the parked dump truck, Defendant began to back up the dump truck. Decedent was struck and pushed to the ground. The truck then rolled over decedent's legs and stopped on her back. Decedent died from her injuries at the scene. Decedent died after up to 2 minutes conscious pain and suffering. Defendant contended that decedent was comparatively negligent in walking behind the dump truck and that decedent had died instantaneously or within a very short period. Plaintiff's decedent was an 81-year-old single female. <i>Arthur Beesick, et al. v. Utilicon Corporation, et al.</i> , No. 434292, December 2001.



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## TRUCKING VERDICTS IN OHIO

### II. Personal Injury

Personal Injury			
Venue/County	Year	Outcome	Summary
Clermont County	2012	Plaintiff's verdict for \$620,000 in admitted liability case.  (Believed to be one of the largest verdicts in Clermont County for a car accident case)	Plaintiff was on his way to work on I-275 in Union Township when the driver of a commercial motor vehicle negligently clipped the back of another car during a lane change. That car spun out and struck plaintiff's car on the passenger side. Plaintiff suffered two herniated disks in his lower back that ultimately required surgery and left him unable to continue employment as a factory worker.  Defendants admitted they were at fault for causing the collision, but denied plaintiff was seriously hurt in the crash.

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Lucas County	2011	<p>Plaintiff verdict in admitted liability case: \$120,448.</p> <p>Breakdown: \$115,448 to plaintiff (\$50,448 for past medical specials; \$40,000 for past wage loss; and \$25,000 for pain and suffering) and \$5,000 to his wife for loss of consortium.</p>	<p>Plaintiff Admir Dzonlic was operating a semi. He stopped at an intersection controlled by a traffic signal just outside the Toledo city limits and was rear-ended by a semi driven by Defendant Paul Jones.</p> <p>Plaintiff alleged that defendant failed to keep a proper lookout and maintain an assured clear distance. Plaintiff also claimed cervical and thoracic disc injuries as a direct result of this accident. His wife sought damages for loss of consortium.</p> <p>Defendant admitted liability for the accident, but contested proximate cause and damages. Specifically, defendant contended that plaintiff's lost wage claim and medical treatment were excessive.</p>
Montgomery	2011	<p>\$4,030 for plaintiff Jones and \$4,080 for plaintiff Smith</p>	<p>Plaintiff Jones was driving a vehicle on the day in question, with Plaintiff Smith as a passenger. They were traveling in the same direction as a truck driven by defendant driver and owned by defendant construction company. Plaintiffs claimed that the defendant driver attempted to pass their vehicle and, in doing so, encroached into their lane. The trailer the defendant driving was towing contacted the left side of plaintiffs' vehicle, causing scapes and scratches to the side of the vehicle and the exterior mirror. At the time of impact, Jones alleged that she turned the vehicle to the right and impacted with the curb.</p> <p>Plaintiffs were diagnosed with neck and back injuries and underwent chiropractic treatment. Defendants admitted liability, but contended that plaintiffs were not injured, as evidence by no injury complaints at the scene or complaints to the insurance adjuster three days later. Defendants argued this was a case of insurance</p>

Personal Injury			
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			<p>fraud with plaintiffs and/or the chiropractor seeking monetary damages for non-existent injuries.</p>
Franklin	2011	Defense verdict (admitted negligence)	<p>Plaintiff and defendant were traveling west on Route 33. Defendant lost control of her vehicle on an icy road, spun out and hit a guardrail. Defendant's car struck the right rear tire of plaintiff's semi tractor-trailer, causing the tractor-trailer to overturn. Plaintiff was driving a semi tractor-trailer with two trailers.</p> <p>Defendant admitted liability for the collision, but asserted that plaintiff's injury was pre-existing. Defendant's medical and engineering experts testified that the torn meniscus could not have been caused by the collision.</p>

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Cuyahoga	2011	\$191,000	A tow truck driver was injured by a hit-and-run driver while working outside his vehicle. He filed the lawsuit against his uninsured motorist carrier. The driver allegedly suffered a lumbar disc herniation (L4-L5) as a result of the hit-and-run accident. He continued to work for about a year after the accident, but then quit due to the physical nature of his job. Plaintiff claimed that future surgery would be necessary. Defendant disputed proximate causation on the basis that Plaintiff had a long history of low back pain. Plaintiff was a 40-year-old male. Plaintiff was awarded a \$191,000 verdict, but the award was subsequently remitted to \$176,500 upon agreement of the parties because the jurors allowed for more future medicals than claimed by the Plaintiff. <i>Verdict search. Wayne Elesky v. Progressive Insurance Company, No. CV 10 722375 (March 2011).</i>
Cuyahoga	2011	\$20,095	While Plaintiff was driving his tractor trailer, Defendant was operating a vehicle behind Plaintiff and made a lane change, striking the rear of plaintiff's truck. Defendant's vehicle became stuck underneath the truck, allegedly causing Plaintiff to lose control of his truck. The Plaintiff claimed his shoulder was jerked by the steering wheel as he attempted to get control of his truck with Defendant's car stuck beneath it. Defendants ultimately acknowledged that the Defendant driver caused the accident. Defendant's noted there was minor property damage to the vehicles, as well as the fact that Plaintiff had pre-existing complaints of shoulder problems. Defendants maintained that any injury Plaintiff suffered was likely a minor aggravation and he should have recovered to his pre-accident status in a short period of time. Plaintiff was a 46-year-old married male, who suffered a new rotator cuff injury to his dominant shoulder. The \$20,000 verdict for Plaintiff was nearly the exact amount of his medical specials. <i>Thomas V. Lake, et al. v. Kia Brown, et al., No. CV-10-720595 (February</i>

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			2011).
USDC Northern District of Ohio (Cleveland Division)	2010	\$150,000	Plaintiff, a tractor trailer driver, was hauling a full load of wooden cabinets eastbound on I-94. Defendant, who was driving a van, entered the interstate and cut off Plaintiff's lane of travel. Plaintiff braked abruptly and was rear-ended by another tractor trailer driven by a different Defendant. Plaintiff alleged she sustained a lumbar disc herniation which required fusion surgery one year post-accident. Plaintiff claims she was unable to continue as an over-the-road truck driver and had to return to work as a salary driver. Defendants admitted that one or both of them contributed to the accident, however, they disputed the nature and extent of Plaintiff's injuries and loss wages. Plaintiff was a 49-year-old female. The jury awarded \$150,000 to Plaintiff, assigning 60% liability to the Defendant who rear-ended Plaintiff and 40% liability to the Defendant who cut off Plaintiff. <i>Verdict Search. Patricia J. Snyder v. William Harrington, et al., No. 1:08-CV001031-SO (November 2010).</i>
Montgomery	2010	\$41,023	Plaintiff was operating his pickup truck northbound on I-75 at approximately 3:15 a.m. At the same time, Defendant was operating a tractor trailer in the course and scope of his employment with Defendant Yellow Roadway Corporation. As Plaintiff came to a stop in construction traffic, Defendant reportedly struck plaintiff's vehicle from behind at approximately 55 mph. The force of the collision catapulted plaintiff's truck 309 feet before it came to rest on its roof. Plaintiff alleged that he sustained a permanent injury to his right ankle which required medical treatment and would likely require future treatment, including fusion of the right ankle joint. Defendants denied negligence and disputed that plaintiff's damages and injuries were proximately caused by the accident. Plaintiff was a married male in his 40s. <i>Gregg Sisson v. Carroll King and Yellow Roadway Corporation, No. 2008 CV 4655</i>

Personal Injury			
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			(October 2010).
Cuyahoga	2010	\$584,090	Plaintiff was working as a flagger in a construction zone, directing dump trucks into the construction area. Defendant was operating a truck for Bencin Trucking and made a wide turn, clipping Plaintiff's shoulder with the tarp arm. Plaintiff alleged that Defendant was negligent in swinging wide and striking him. Plaintiff testified that he was watching traffic and standing in the appropriate position to monitor oncoming vehicular traffic and incoming trucks. He argued that he aggravated and reinjured his shoulder when he returned to work because his employer required him to operate a jackhammer. As a result, he asserted that he was permanently disabled from working. Defendants contended that Plaintiff should have stepped out of the way of the truck. Defendants also claimed any subsequent shoulder injury was due to Plaintiff exceeding his work restrictions. Plaintiff was a 40 year old single male who worked as a laborer. <i>Eric Payne v. Bencin Trucking, et al., No. CV 09-681036 (October 2010).</i>
Cuyahoga	2010	\$8,000	Plaintiff was driving her vehicle on Huron Road in Cleveland in light traffic. She was rear-ended at low speed by a Mack truck driven by Defendant, who was in the course and scope of his employment at the time of the accident. Plaintiff had a significant prior history of low back pain and had three MRIs prior to this accident. She claimed she was an eggshell Plaintiff and sustained new injuries, as well as aggravation of her prior condition. Defendant admitted he hit the rear of Plaintiff's vehicle, but denied Plaintiff was seriously injured. Plaintiff was a 30 year old married female who was a homemaker. <i>Tiffany Penman v. Darrin Fears, No. CVC 09 703254.</i>

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Delaware	2010	Defense verdict	Plaintiff was a self-employed owner/operator of a trucking company. On the day of the accident, he was driving his box truck on SR 36. At the entrance ramp to I-71, he was rear-ended by Defendant, who was driving a sedan. Plaintiff alleged he sustained a neck injury that precluded him from driving this truck for four months due to limited range of motion in his neck. Defendant admitted negligence, but disputed proximate cause. Plaintiff was a male in his 50s. Plaintiff's counsel stated the outcome was impacted due to the jury not believing by a preponderance of the evidence that Plaintiff proved his injuries. <i>Stephen Fisher v. Scott Thissen, No. 09 CVC 060757 (August 2010).</i>
Portage	2010	Defense verdict	Plaintiff and Defendant were operating their respective vehicles on the same road in the same direction. Plaintiff attempted to pass Defendant on the left as Defendant tried to make a left turn. Plaintiff collided with Defendant's small truck. Plaintiff alleged that Defendant failed to pay proper attention in that he was looking for an address and talking on his cell phone at the time of the accident. Plaintiff also alleged that Defendant activated his right turn signal instead of the left turn signal. Plaintiff claimed soft tissue injuries to his neck, back and shoulder as well as headaches. Plaintiff's chiropractic expert testified that ongoing chiropractic treatment was necessary to treat Plaintiff's injuries. Defendant denied liability, contending that Plaintiff did not provide proper warning of his intention to pass Defendant on the left. He also disputed the nature and extent of Plaintiff's injuries. Plaintiff was a 60 year old male. <i>Joe Gillespie v. James McKendrick, et al., No. 2008 CV 01785 (August 2010).</i>
Ashtabula	2010	\$17,492	While driving his vehicle, Plaintiff stopped behind a semi-tractor trailer at a stop sign and was rear-ended by Defendant, a high school teenager who was on his way home from school with several friends. Plaintiff's vehicle was pushed into the back of the truck front.

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			Plaintiff was transported via ambulance to the hospital with neck and back complaints. His physical therapy notes indicated that Plaintiff was able to perform normal activities and he sought to return to work, which was denied by his company doctor. He was later released to return to work. Defendant admitted liability, but disputed the extent of damages sought by Plaintiff. Plaintiff was a 38 year old married male who was a truck driver for a local sand and gravel operation. <i>Hartford Bailey v. Randy Lupold, Jr., No. 2008 CV 01519.</i>
Allen	2010	\$117,000	While driving his motorcycle, Plaintiff approached an intersection and his bike was truck broadside by a truck. The truck's driver failed to yield the right of way to Plaintiff when he failed to stop at a stop sign. Plaintiff settled with the truck driver and then pursued his four \$25,000 policy limits and then pursued his underinsured motorist carrier for additional damages. Defendant admitted liability and coverage, but contested Plaintiff's damages. Specifically, Defendant argued that Plaintiff made no complaints about his right shoulder until five weeks after the accident and then did not see an orthopedist until several months later. Plaintiff was a married male in his 50s. <i>Richard Walters v. Allstate Insurance Co., No. CV 2008 0878 (June 2010).</i>
Allen	2010	\$166,000	Plaintiff was driving his tow truck in a residential area. At the same time, Defendant was driving a garbage truck. Defendant was in the process of backing and struck the front of Plaintiff's tow truck, even though Plaintiff honked his horn at him. Plaintiff claimed he was unable to get out of the way in time to avoid the collision. Defendant stipulated to liability for the accident. Plaintiff alleged he sustained a serious knee injury from this accident, which left him with a permanent limp. Plaintiff denied any preexisting problems and argued that he walked without a limp

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			before this accident. Plaintiff was a male in his 60s who worked as a tow truck driver. Defendants contended that Plaintiff's injury resolved after a period of time and any ongoing complaints were likely the result of preexisting degenerative arthritis. Defendants' own surveillance video showed Plaintiff walking with a limp. <i>Albert Medley v. Thomas Stevens, et al., No. CV 2009 0022. (May 2010).</i>
Cuyahoga	2009	\$33,982	Plaintiff was driving his cement truck. Defendant, who was operating his own vehicle in the opposite direction of Plaintiff, turned left in front of Plaintiff's oncoming truck to enter a gas station and the two vehicles collided. Plaintiff claimed herniated discs as a result of the accident. Defendant admitted liability but contested Plaintiff's damages. Defendant argued that Plaintiff could not have sustained the claimed injuries while driving a big cement truck. Plaintiff was a 40 year old single male who was employed as a cement truck driver. <i>David Anderson v. John Parker, No. 08 CV 676598.i</i>
Cuyahoga	2009	Defense verdict	Defendant was driving her vehicle on a rainy day at approximately 10:00 a.m. when she attempted to enter I-77. Defendant admitted she glanced at her child in the backseat just prior to hydroplaning on the wet roadway. Defendant lost control of her vehicle and struck another car before coming to a rest on the interstate. Plaintiff, who was driving the same direction in the fast lane, saw the accident occur. He moved into the adjacent lane to avoid an accident, but rear-ended Defendant's stopped vehicle, which was then pushed into a semi-truck. Plaintiff also struck the semi. Plaintiffs claimed serious soft tissue injuries, from which they recovered after a period of time. Defendant claimed that Plaintiff's driver would have avoided the accident if he had not changed lanes. Plaintiff was a married male in his 40s. <i>David Holly, et al. v. Michaelene Delahanty. No. 12-8-2009.</i>

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			(December 2009).
Lorain	2009	\$142,952	Plaintiff was the last vehicle in a long line of cars behind a slow moving agricultural vehicle. Defendant, who was driving a semi, was traveling about 55 m.p.h. As he approached the line of cars, he struck the rear of Plaintiff's vehicle. The impact shoved Plaintiff's truck to the right into a ditch, where it overturned. Plaintiff suffered multiple scapula fractures for which he sought compensation. Defendant admitted liability and stated that eh was looking away from the roadway just before the impact. Defendant disputed the extent of Plaintiff's damages. Plaintiff was a married male in his late 40s who owned an agricultural services and mechanical shop. <i>Richard Fannin, et al. v. Michael Weidner, No. 07 CV 149558. (November 2009).</i>
U.S.D.C., Southern District of Ohio (Cincinnati)	2009	\$670,000	Plaintiff was operating a train in the course and scope of his employment. As the train approached an intersection with a road that had no gates or lights at the crossing, Plaintiff went out to the walkway on the front of the train to warn motorists of the train's approach. Defendant, who was driving a truck, proceeded across the railroad crossing. As he did so, the front of the train struck the side of Defendant's truck. Defendant was traveling approximately 30 m.p.h. and the train was moving approximately 3-4 m.p.h. at the time of impact. Plaintiff rammed his shoulder during the collision. Defendants contended that Plaintiff's injuries were the result of his own negligence. They argued that Plaintiff should not have been on the walkway, but should have been on the ground signaling traffic. Plaintiff was a 45 year old single male employed as a railroad conductor. <i>Larry Petree v. Norfolk Southern, et al., No. 1:07-CV-682. (November 2009).</i>

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Franklin	2009	\$125,000	Plaintiff claimed he entered an intersection with the green light intending a left turn. Plaintiff stopped and waited through the yellow light for traffic to clear. As the light turned red, he cleared the intersection and was struck by a semi-tractor trailer coming from the opposition direction. Defendant driver claimed he had a green light when he entered the intersection and Plaintiff turned left in front of his truck. An independent witness, who was traveling in a perpendicular direction, testified that, while she did not see the collision, she heard the impact, looked up and had a green light in her direction. The county traffic control engineer testified that there was a six second delay cycle at the intersection, which meant Defendant would have had a red light at the time of the collision. Plaintiff claimed he sustained a fractured lower arm, requiring surgical repair. Defendant contended Plaintiff caused the accident when he turned in front of him in the intersection. Plaintiff was a 19 year old single male employed as a laborer. <i>Zachary Pressnell v. Terry Daugherty, et al., No. 08-CV-015234.</i>
Cuyahoga	2009	\$8,150	Plaintiff was driving her vehicle on a city street in Cuyahoga County. As she slowed for traffic ahead of her, she was rear-ended by a tractor-trailer operated by Defendant driver and owned by Defendant trucking company. Plaintiff claimed neck and back injuries as a result of this accident. Defendant admitted liability, but contested the nature and extent of Plaintiff's injuries. Plaintiff was a divorced female in her 40s who was employed as an MRI technician. <i>Sandra Pearce, et al. v. New England Motor Freight, et al., No. CV 08 678113.</i>
U.S.D.C., Southern District of Ohio	2009	\$1,500,385	Plaintiff was operating his 18-wheeler on I-71 near Cincinnati. He was having problems with his trailer. He stopped on the side of the interstate and called his dispatch to request a mechanic. A tow truck arrived on the scene and began preparing Plaintiff's truck for

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(Cincinnati)			towing. As Plaintiff attempted to exit the cab of his truck while stopped, the truck was jostled by the towing activities and Plaintiff fell from the cab into the slow lane of traffic along I-71 and then struck by a passing vehicle. His right leg was later amputated above the knee. Plaintiff alleged that the tow truck employee acted negligently in exposing him to harm by preparing to tow while he was exiting the truck. Defendant contended that Plaintiff was solely negligent because he failed to protect himself as he exited his vehicle. Plaintiff was a 60 year old single male employed as a truck driver. <i>John Chapman v. Milford Towing, No. 1:07-885.</i>
Cuyahoga	2009	\$1,000	Plaintiff was driving his van eastbound when he was sideswiped by an uninsured truck. Plaintiff filed suit against the tortfeasor as well as his uninsured motorist carrier. Plaintiff suffered soft tissue, cervical and lumbar injuries, claiming \$3,755 in past medical specials, and \$1,632 in past wage loss. <i>Joseph Iacofano v. Althea Bell, et al., No. CV-08-656639.</i>
Hamilton	2009	Defense verdict	Plaintiff was operating his taxi and attempted to make a right turn. In doing so, he pulled into the lane next to a truck being operated by Defendant. Defendant was waiting to make a left turn at the intersection at the same time, and the two vehicles collided. Plaintiff claimed he suffered back pain and medical expenses as a direct result of Defendant's negligence. Defendant denied he was negligent and disputed the nature and extent of Plaintiff's injuries. Plaintiff was a 59 year old male. <i>Alan Codd v. Anthony Hille, No. A0803733. (May 2009).</i>
Montgomery	2009	\$4,513	This case involves a rear-end collision. Plaintiff claims she was injured in the accident and drove herself to the hospital. Plaintiff subsequently presented to a chiropractor who referred her to an orthopedic surgeon.

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Venue/County	Year	Outcome	Summary
			She claimed neck and back injuries as a result of the crash. Defendant admitted liability but disputed approximate cause and damages. Defendant also argued that Plaintiff had treated for six months prior to the accident for injuries allegedly sustained in a previous crash that were identical to what she was claiming in this lawsuit. Plaintiff was a 22 year old single female who was a factory worker. <i>Maria Hatch v. Iyad Moreb, No. 2008 CV 03977.</i>
Franklin	2009	Defense verdict	Defendant drove through a red light and hit the driver's side of Plaintiff's truck. Negligence was stipulated. Plaintiff alleged he sustained a right shoulder injury which required two surgeries. He claimed he suffered permanent restriction of movement and decreased strength in his right shoulder. Defendant disputed causation and contended that Plaintiff's shoulder injury was preexisting. Plaintiff was a 46 year old married male who was a refuse worker. <i>Chris Lacy v. Shirley Pauley, No. 05-CV-10-12003. (April 2009)</i>
Cuyahoga	2009	\$7,000	Plaintiff was struck t-bone style by a tractor-trailer driven by Defendant. According to the Plaintiff, the motor vehicle accident exacerbated his neck symptoms, caused a prior fusion surgery to fail and resulted in the need for a diskectomy. Plaintiff sued both the tractor-trailer driver and his chiropractor. The Defendant's doctor denied the allegations and cited Plaintiff's longstanding history of degenerative disc disease in his neck. The Defendant driver admitted liability for the collision, but denied proximate cause on the basis that this was a low impact accident. Plaintiff was a married male in his 50s who worked as a truck driver. <i>Ronald Schultz, et al. v. Daniel Duffy, et al., No. CV-06-603908. (April 2009).</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
Cuyahoga	2099	Defense verdict	Plaintiff was operating a garbage truck. Defendant was driving a pickup truck just behind the garbage truck. Defendant drove around the garbage truck and then attempted to turn right onto a side street in front of the garbage truck. In doing so, his pickup truck was struck on the passenger side by the garbage truck's bumper. Plaintiff and his passenger were wearing their seat belts, but nonetheless, claimed they were thrown about the cab of the truck and were injured. Defendant contended that the garbage truck was at a complete stop when he decided to go around it, which was a legal maneuver, and Plaintiff driver was negligent in then proceeding forward as Defendant attempted to make his turn. A biomechanical expert testified that the forces in the accident were insufficient to have caused any injury. Plaintiff driver was a married male in his 50s. Plaintiff's passenger was a male in his 40s. <i>Johnny Foster, et al. v. Estate of Stephen Zang, et al., No. CV07-619564. (January 2009)</i>
Allen	2008	\$20,000	Plaintiff was driving his dump truck on a county road on the outskirts of Blufton when he struck a vehicle driven by Defendant who admitted that he failed to yield the right of way. Plaintiff claims serious neck and shoulder pain as a result of the collision. Defendant acknowledged that Plaintiff may have sustained minor injuries in the accident, but argued that he should have recovered and his treatment was excessive. Plaintiff was a 39 year old married male who was a self employed dump truck driver for a quarry. <i>Thomas Hughes v. Dean Kankiewicz, No. CV 2007-0369. (October 2008).</i>
Cuyahoga	2008	\$294,843	Plaintiff was driving a UPS truck on the main thoroughfare of a parking lot. He was struck by Defendant dump truck with a snow plow attached that had been contracted to plow and salt the parking lot. The Plaintiff claimed he sustained herniated discs in his back and exacerbated a preexisting cervical condition

Personal Injury			
Venue/County	Year	Outcome	Summary
			as a result of the collision. Defendant disputed liability and damages. Defendants argued that Plaintiff should have reasonably foreseen the danger and had a duty to yield since he stated he saw the truck coming toward the intersection. Plaintiff was a 40 year old married male who was a UPS driver. <i>Mark D'Allesandro, et al. v. Keary Landscaping and Contracting, et al., No. CV 07617152. (October 2008).</i>
Wood	2008	\$1,250,000	Plaintiff, an over the road truck driver, was parked at a truck stop when he overheard an argument over the radio between two other truckers. The argument escalated into an invitation for a physical fight. One of the truckers then came to Plaintiff's truck confusing him for the other trucker. Plaintiff pointed him in the direction of the other trucker and an altercation ensued in which Plaintiff was ultimately run over by a truck. Plaintiff sustained crushing injuries to his right leg which ultimately resulted in amputation of the leg. Defendant trucking company denied liability and maintained that it did not condone the truck driver's acts. Defendant further argued that the driver was off duty during the events and was not acting within the scope of his employment or in the furtherance of company business. Plaintiff was a 31 year old male employed as a truck driver. <i>Sean McMahon v. Continental Express, Inc., et al., No. 06-CV 075. (October 2008).</i>
Franklin	2008	\$9,664	Plaintiff was driving his truck westbound while Defendant was operating a vehicle that reportedly collided with the front of Plaintiff's truck in an intersection. Because the tortfeasor was uninsured, Plaintiff pursued uninsured motorist benefits from its insurer. Plaintiff asserted that he suffered multiple soft tissue injuries as a result of the accident.. The insurance company disputed the extent of Plaintiff's damages. Plaintiff was a male in his 30s. <i>Joseph</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
			<i>Weidinger v. State Farm, et al., No. 07-CV-000707.</i>
Cuyahoga	2008	Defense verdict	Plaintiff was driving a United States Postal Service mail truck and Defendant was driving a Honda Civic directly behind Plaintiff. Both came to a stop at a red light. When the light turned green, Defendant proceeded forward and struck the back of Plaintiff's vehicle. There was no damage to Defendant's vehicle on a small scratch on the back of the mail truck. Plaintiff claimed that he suffered substantial cervical and lumbar injuries as a result of the impact and was forced into disability retirement due to these injuries. Defendant admitted liability but disputed the proximate cause of Plaintiff's cervical and lumbar conditions as well as his financial damages. Defendant argued that Plaintiff's complaints were attributed to a longstanding preexisting condition and provided documentation which revealed multiple previous injuries and aggravations, as well as a history of congenital and degenerative issues and a subsequent motor vehicle accident in which Plaintiff claimed similar injures. Plaintiff was a 49 year old male who worked as a male carrier. <i>Franklin Haislah v. Kathryn Quigley, No. 579407. (July 2008).</i>
Franklin	2008	\$25,831	Plaintiff was operating his vehicle along a one-way street. At the same time, two trucks were involved in the collision at a nearby intersection. One of the trucks, in turn, struck Plaintiff's vehicle. Plaintiff sued the drivers of both trucks involved in the collision. Plaintiff asserted that he suffered injuries and property damage as a direct result of their negligence. Defendants denied liability and asserted affirmative defenses of comparative negligence and assumption of risk along with superseding causes. Plaintiff was a 60 year old married male. <i>Ken Carson v. Victor Cesta, et al., No. 07-CV-005976.</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
Franklin	2008	Defense verdict	Plaintiff was operating his tractor-trailer southbound on I-71. Defendant was operating a vehicle on the same road and in the same direction as Plaintiff, but in an adjacent lane. Defendant reportedly sideswiped Plaintiff's truck. Plaintiff claimed he sustained soft tissue neck and shoulder injuries as a result of the accident. Defendants contended that Plaintiff operated his truck in a negligent manner and was a contributing cause of the accident. Defendant also claimed unavoidable accident and sudden emergency as defenses. Plaintiff was a 55 year old married male employed as a truck driver. <i>Paul Lewis v. Gloria Hampton, et al., No. 07-CV-0033119.</i>
Portage	2008	Defense verdict	Plaintiff was driving a Honda motorcycle on a residential street early in the morning. A flatbed tow truck was responding to a AAA call. The tow truck was backing toward a driveway and struck Plaintiff's motorcycle. Plaintiff claims soft tissue injuries and bilateral foot fractures. Plaintiff claimed he was disabled as a result of the accident. Defendant contended that Plaintiff was operating his motorcycle at an unsafe speed and/or failed to maintain an assured safe distance. Defendant's reconstruction expert testified that Plaintiff had at least 200 feet of sight distance and perception and should have been able to stop from an admitted speed of 25-30 m.p.h. within 80 feet. Plaintiff was a 60 year old married male. <i>Marion Lee Frye v. Streetsboro Auto, No. 05 CV 1327.</i>
Cuyahoga	2008	Defense verdict	Plaintiff was traveling in the curb lane of a Cleveland side street that had two lanes in each direction. A truck was traveling next to him in the inner lane. Defendant was coming from the opposite direction and attempted to turn left, but the two vehicles collided on Defendant's passenger side. There were disputes as to the traffic light, who had the right of way, and if the truck driving next to Plaintiff blocked the drivers' views. Plaintiff claimed injuries from the impact and

Personal Injury			
Venue/County	Year	Outcome	Summary
			sought physical therapy for a back injury and a mild concussion. Defendant denied liability for the collision and contended that Plaintiff's traffic light was red and that Plaintiff was comparatively negligent in causing the accident. Plaintiff was a male in his 50s employed as an automotive parts runner. <i>Grady Evans v. Charles Gunn, No. CV 07 641333. (June 2008)</i>
Perry	2008	Defense verdict	Plaintiff was a pedestrian attempting to cross State Road 13 when he was hit by a truck driven by Defendant. At the time, Defendant was passing a stopped semi-tractor trailer that was blocking his lane of travel. Plaintiff alleged Defendant was negligent in passing within 100 feet of an intersection, not sounding his horn as he passed, and failing to keep a proper lookout. Plaintiff claimed he suffered fractured ribs, a partial lung collapse, soft tissue, neck and back injuries, and a concussion as a direct result of the collision. Defendant denied liability and contended that Plaintiff failed to look before crossing the road and failed to yield the right of way. Plaintiff was a 33 year old married white male employed as a truck driver. <i>Richard Smith v. Edward Dalrymple, No. 05 CV 00398. (June 2008)</i>
Hamilton	2008	\$33,500	Plaintiff and Defendant were driving on intersecting roads when Plaintiff entered the intersection. Defendant crashed her vehicle into the driver side of Plaintiff's truck. The impact caused Plaintiff's truck to hit the side of a brick building and the truck became imbedded in the wall. Plaintiff claimed he sustained soft tissue back injuries and a bulging disc in his neck as a result of the accident. Defendant admitted liability but disputed the extent of Plaintiff's damages. Plaintiff was a 33 year old single male employed as a U.S. Navy recruiter. <i>Joseph Boorum v. Patrice Noble, No. A-0702867. (May 2008).</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
Hamilton	2008	\$22,588	An employee of Defendant Mail Contractors of America was driving a tractor-trailer when he reportedly ran a red light at an intersection and hit Plaintiff's vehicle. Plaintiff claimed neck and back injuries resulting in generalized low back pain and radicular pain into the upper extremities. Two of Plaintiff's treating physicians opine that Plaintiff's injuries were related to the accident and were permanent in nature. Defendant admitted liability but disputed the extent of the injuries. Plaintiff was a 35 year old single male employed as a bar manager. <i>Daniel Kohler v. Mail Contractors of America, No. A0604923. (March 2008).</i>
Stark	2008	Defense verdict	Plaintiff was operating a box truck. Defendant, who was driving an Accura TL, was passing a semi and struck the rear wheel of Plaintiff's box truck. Plaintiff claimed an aggravation of underlying injuries that necessitated surgery and resulted in permanent disability. Defendant denied liability and contended Plaintiff made a left turn in front of his vehicle. Defendant argued that the accident was too minor to have caused any injury and Plaintiff's injuries were preexisting. Defendant's medical expert testified that Plaintiff's low back condition was not related to this accident. Plaintiff was a 42 year old single male employed as a delivery driver. <i>Jack Knight v. Carol Hunt, 2007 CV 03059. (March 2008)</i>
Cuyahoga	2008	\$95,000	Plaintiff was driving her SUV on a highway entrance ramp to northbound I-71. Just after she entered the highway, her vehicle was rear-ended by a dump truck owned by Defendant and driven by its employee. Plaintiff admitted that she crossed the solid white line of entry onto the highway, but maintained that she was established in her lane of travel when her SUV was rear-ended by Defendant's truck at highway speed. She claimed significant new neck and back injuries as well as aggravation of preexisting cervical spondylosis

Personal Injury			
Venue/County	Year	Outcome	Summary
			and degenerative disc disease. Defendants contended that Plaintiff abruptly entered the truck's lane of travel, cutting off the driver's route of travel. Defendants argued that Plaintiff was at fault for the accident or at least comparatively negligent. Defendants argued that Plaintiff's injuries should have resolved in 3-9 months. Plaintiff was a 40 year old married female who was a homemaker. <i>Veronica Naysmith, et al. v. Ramos Trucking Corporation, No. CV-06-593107. (February 2008).</i>
Franklin	2008	Defense verdict	Plaintiff was driving a vehicle owned by co-Plaintiff, who was a front seat passenger. A third Plaintiff, age 14, was a backseat passenger. They claimed they were injured when their vehicle was struck by a tow truck driven by Defendant. Defendant was attempting to exit a private drive to travel southbound on the road in which Plaintiffs were traveling. The Plaintiffs all claim they sustained soft tissue injuries as a result of the accident. Defendant contended that Plaintiff driver was speeding and lost the right of way. Defendant also disputed the nature and extent of Plaintiff's injuries. Plaintiff driver was a 40 year old married female. Plaintiff owner/passenger was a 36 year old married female. Plaintiff passenger was a 14 year old female. <i>Tabitha Felder, et al. v. Samuel Jones, No. 06-CVC-04-5264. (February 2008).</i>
Guernsey	2008	Defense verdict	Plaintiff was driving on a highway when he struck the rear of a dump truck and trailer driven by Defendant. At the time of the collision, Defendant was searching for a turn off to a job site. The accident occurred on a dark and foggy morning. Plaintiff alleged Defendants had no lights on the trailer and the lack of lights combined with Defendant's low speed (5 m.p.h.) caused the accident. Defendants contended the lights on the trailer were checked and operating and, even without lights, the trailer would have been visible because the license plate had reflective tape.

Personal Injury			
Venue/County	Year	Outcome	Summary
			Defendant's accident reconstruction expert testified that Plaintiff had an unobstructed view of 700 feet to the accident scene and Plaintiff's stated speed in first view of the trailer was not possible. Plaintiff was a 17 year old male. <i>Michael Golden, et al. v. Paul Barcik, et al., No. 05-PI-310.</i>
Montgomery	2008	\$40,329	Plaintiff was operating a dump truck north on State Route 49 and Defendant was operating the pick up truck along an intersecting road. Defendant reportedly pulled out in front of Plaintiff resulting in an accident. Plaintiff settled the claim with the Defendant tortfeasor for the policy limits and then sought underinsured motorist benefits from his carrier. Plaintiff claimed he suffered serious and permanent injuries as a direct result of the accident. Defendant Progressive disputed the nature and extent of Plaintiff's injuries. Plaintiff was a 57 year old married male employed as a dump truck driver. <i>Lowell Kissinger v. Progressive Preferred Insurance Company, et al., No. 2005 CV 8779. (January 2008).</i>
Franklin	2007	\$325,000	Plaintiff was rear-ended by a truck driven by Defendant in the course and scope of his employment with Defendant Floral Transport Service, Inc. Plaintiff claimed he sustained herniated discs at C-4, C-5 and C-5, C-6, and had to undergo an anterior cervical discectomy six months after the accident. He claimed he missed three months of work after the accident and six weeks after the surgery. Defendants admitted negligence but disputed proximate cause. Defendants claim Plaintiff's condition was due to an ongoing degenerative arthritis. Plaintiff was a 48 year old married white male employed as an electrician. <i>Terry Helms, et al. v. Floral Transport Service, et al., No. 06-CV-006699. (June 2007)</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
Cuyahoga	2007	\$42,000	Plaintiff, a sanitation worker, was injured when he had to jump out of the way of a vehicle driven by Defendant before she rear-ended the stopped garbage truck on which Plaintiff was working. Plaintiff claimed an aggravation of the preexisting spinal stenosis birth defect. Defendant admitted liability but disputed causation in the amount of Plaintiff's damages. Plaintiff was a single white male in his mid 20s employed as a sanitation worker. <i>Roger Butts v. Motorists Mutual Insurance Co., et al., No. 04 CV 524230. (May 2007)</i>
Cuyahoga	2007	\$39,298	Defendant was operating a Ford F-150 pick up truck on I-71 with Plaintiff as a passenger. A co-Defendant, who was operating a box truck ahead of the vehicle in which Plaintiff was a passenger, collided with two other vehicles causing Plaintiff's vehicle to maneuver into the left lane ahead of the vehicle driven by a third Defendant. Plaintiff alleged that one or all of the Defendants were liable for this accident. Plaintiff complained of cervical and lower lumbar injuries which progressed in numbness and pain in her arms, legs, right knee, right foot, chin and head. She also complained of swelling of the right dorsal area. Radiology testing revealed herniated discs at L-4 and L-5. Defendants denied liability and contended that the other drivers were responsible. Plaintiff was a 28 year old single white female who was a student. <i>Karen Hohmann v. Edward Gallagher, et al., No. 04 CV 540113. (May 2007).</i>
Montgomery	2007	Defense verdict	Plaintiff was driving in the center lane of I-75 south. At the same time, Defendant was operating a semi-tractor trailer in the right lane and was heading in the same direction as Plaintiff. As Plaintiff maneuvered into the right lane and slowed to exit the highway, she was rear ended by Defendant. Plaintiff claims she suffered soft tissue injuries as a result of the collision. Defendant contended that he was traveling

Personal Injury			
Venue/County	Year	Outcome	Summary
			approximately 55 m.p.h. when Plaintiff suddenly and unexpectedly moved into the right lane, decelerated rapidly, and attempted to take an approaching exit. Defendant claimed he slammed on his brakes without an opportunity to downshift or attempt to change lanes to avoid a collision. Plaintiff was a white female in her 50s. <i>Gwendolyn Turner v. Clarence Brock, No. 2006 CV 1011. (May 2007).</i>
Montgomery	2007	\$97,002	Plaintiff was operating her vehicle northbound while Defendant was operating a company truck in a southbound direction on the same road. Defendant driver reportedly crossed the center line of the road striking Plaintiff's vehicle head on. Plaintiff alleged to have suffered multiple fractures and permanent impairments as a direct result of the accident. Defendants admitted liability for the accident but disputed causation and damages. Defendants claimed that Plaintiff's lost wage calculation was grossly excessive based upon her own testimony which indicated she only missed three months of work. Plaintiff was a 60 year old married white female who was a schoolteacher. <i>Janet Meagher v. Schottenstein Stores, et al., No. 2005 CV 2344. (May 2007).</i>
U.S.D.C., Northern District of Ohio	2006	\$7,028,687	Plaintiff decedent, a 22 year old U.S. Marine, was driving his pick up truck in the westbound lane of Route 30 when he was struck head on by a Tyson Food's tractor-trailer. The collision crushed decedent's pick up and pushed it backward 563 feet. The tractor-trailer driver had crossed into the westbound lane from the eastbound lane at about 60 m.p.h. in order to pass another vehicle. Defense counsel conceded liability for negligent operation of a motor vehicle. The defense succeeded in dismissal of the negligent hiring retention and training and supervision claims as a matter of law. The jury awarded \$6 Million to decedent's wife, plus \$6,687 for funeral burial expenses, \$22,000 for property damage, and \$1 Million for past pain and

Personal Injury			
Venue/County	Year	Outcome	Summary
			suffering. The jury rendered a defense verdict on the punitive damages claim. <i>Estate of Daniel Brumfield v. Tyson Foods, No. 1:05CV00847-DCN. (December 2006).</i>
Marion	2006	\$39,347	Plaintiff was driving a semi-tractor trailer through an intersection when her vehicle was rear-ended by a vehicle driven by Defendant. Plaintiff claimed the impact was sufficient to cause soft tissue in the neck injuries and aggravate her preexisting cervical arthritis. Plaintiff recovered from her injuries after a period of time. Defendant admitted that she drove into the rear of Plaintiff's semi-tractor trailer but argued that her car striking a semi could not have injured Plaintiff. Defendant claimed Plaintiff's arthritis flared up on its own and she was not injured in this accident. Plaintiff was a 45 year old single female. <i>Rebecca Hemchak v. Krista Black, No. 03-CV-665. (November 2006).</i>
Hamilton	2006	\$50,621	Plaintiff was driving a full size delivery van on its way back to his employer's place of business. He was preparing to exit I-275 westbound when he was hit from behind by Defendant who was driving a tractor-trailer. Plaintiff alleged that he had come to a complete stop due to construction in the area when he was rear-ended. Plaintiff claimed to have sustained soft tissue injuries and also claimed his preexisting migraine condition was aggravated by this accident. Defendant contended that he had no idea how fast he was traveling and claimed he did not remember seeing Plaintiff's van prior to the collision. Defendant's disputed causation with regard to Plaintiff's migraine condition. Plaintiff was a 55 year old married white male who worked as a delivery driver. <i>Michael Herbig, et al. v. Mason Cooley, et al., No. A0502623. (September 2006).</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
Hamilton	2006	\$10,500	Plaintiff was operating a garbage truck for Defendant City of Cincinnati. He was traveling on Hillside Avenue when he was involved in an accident with Defendant Sabin. The following month, Plaintiff was a passenger in a vehicle operated by a non-party on Highland Avenue. The car in which Plaintiff was riding collided in an intersection with a vehicle driven by Defendant Haus. Plaintiff claimed neck and back injuries as a result of these collisions. A medical expert for the Plaintiff testified that Plaintiff had preexisting conditions that were aggravated by this accident, resulting in his condition becoming chronic. The defense medical expert contended that Plaintiff had preexisting injuries and may have suffered an aggravation of those injuries, but Plaintiff did not sustain any permanent injuries. Plaintiff was a male who was approximately 40 years old. <i>Quinn Peterson v. Anthony Sabin, et al., No. A0504105. (September 2006).</i>
Franklin	2006	\$16,000	Defendant attempted to enter I-270 from Tuttle Crossing. He allegedly cut off a USF Holland truck causing that driver to slam on his brakes and veer into the berm to avoid a collision. The Defendant then struck a vehicle in the adjacent lane which was driven by Plaintiff. Plaintiff sustained both physical injuries and property damage to his vehicle. The Defendant and co-defendant driver of the USF Holland vehicle blamed one another for the accident. The jury determined that the Defendant who cut off the USF Holland vehicle was 100% responsible for the accident. <i>Joseph Cunningham, et al. v. Kenneth Harrison, et al., No. 05CV000607. (September 2006)</i>
Franklin	2006	\$425,343	Plaintiff and Defendant were operating their respective vehicles on the same road but in opposite directions. At an intersection controlled by a traffic light, Defendant attempted to make a left turn in front of Plaintiff's oncoming vehicle, resulting in a collision.

Personal Injury			
Venue/County	Year	Outcome	Summary
			Plaintiff alleged that he had a green light and Defendant was negligent in failing to yield the right of way. Plaintiff claimed permanent limitations of extension/flexion of his right leg and knee and will likely require right knee replacement in the future. Defendant contended he was in the intersection when the light turned red and was attempting to complete his left turn to clear the intersection. Defendant argued that Plaintiff entered the intersection on a red light. Plaintiff was a 40 year old married male employed as a software engineer. He was of east Indian descent. <i>Venkataraman Saminathan, et al. v. Jeremy Rowe, et al., No. 05CV006884. (September 2006).</i>
Summit	2006	Defense verdict	Plaintiff was operating a tow truck on an interstate when his truck was struck from behind by a vehicle driven by Defendant. Plaintiff claimed to have sustained soft tissue neck and back injuries as a direct result of the accident. Defendant contended that Plaintiff caused the accident when he changed lanes suddenly and without warning. Defendant further maintained that the tow truck was not damaged when it was struck from behind by her sedan and Plaintiff was not injured. Plaintiff was a 27 year old married white male employed as a tow truck driver. <i>Scott Vogt v. Heather Campbell, et al., No. CV 2004 12 7609 (September 2006).</i>
Huron	2006	\$1,800	Plaintiff was driving his vehicle on a two lane rural road. A truck driven by Defendant was traveling in the opposite direction. Defendant drove left of center and struck Plaintiff's vehicle head on, forcing Plaintiff's car off the roadway. Plaintiff claimed that the force of the impact caused nerve damage to his left arm as evidenced by a diagnostic EMG. He also claimed neck and back injuries as well as PTSD. Plaintiff claimed he was disabled from working as a laborer as a result of his arm injuries. Defendants did not dispute liability, however, they claimed that Plaintiff's arm was fully

Personal Injury			
Venue/County	Year	Outcome	Summary
			functional and that any changes from nerve damage were minor. They argued that he recovered from his other injuries and was exaggerating his arm injury. Plaintiff was a 25 year old single male who worked as a laborer. <i>Jeremy Gasparac v. Hiner Transport, Inc., et al., No. 2005 04 52 (August 2006).</i>
Lucas	2006	\$45,000	Plaintiff and Defendant were operating their respective vehicles in the same direction on southbound I-75 in Toledo. On the exit ramp from I-75 to westbound I-475, Defendant rear-ended Plaintiff's vehicle, a steak truck. Defendant was driving a Mitsubishi dump truck pulling a trailer loaded with a bobcat. Plaintiff claimed neck injuries as a result of the crash. Defendant contended that he got over into the far right exit lane as soon as possible, almost one half mile before the exit split. According to Defendant, Plaintiff cut in front of him near the split when traffic ahead on the ramp was already stopping, impairing Defendant's assured clear distance. Plaintiff was a 35 year old married white male. <i>Kenneth Grey v. Tim Kahill, et al., No. C104-3456. (August 2006).</i>
Cuyahoga County	2006	Defense verdict	Defendant, who was driving a company truck, t-boned Plaintiff's vehicle in the middle of an intersection. The police officer concluded that Plaintiff had run the red light. Prior to trial, Plaintiff dismissed his claims against Defendant driver and tried it against the driver's employer because the driver was acting in the course and scope of his employment. Plaintiff claimed he suffered bilateral pelvic fractures, a lumbar fracture and multiple rib fractures as a direct result of the collision. Defendant contended its driver entered the intersection on a green light. Witnesses for Defendant, who were driving in the opposite direction of Defendant driver, testified that they also entered the intersection on a green light. Plaintiff was a 46 year old married white male employed as a truck driver. <i>Gary Runyon, et al. v. Roofing Material Wholesalers,</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
			<i>Inc. et al., No. CV05563753 (July 2006).</i>
Union	2006	\$500,000	Plaintiff was driving his pick up truck eastbound on Route 161 in Columbus. While he was stopped for a traffic light, his truck was rear ended by a vehicle driven by Defendant. Plaintiff claimed his neck and back injuries were significant and would require multiple future surgeries. Defendant admitted rear ending Plaintiff's pick up but argued the impact was not sufficient to have caused Plaintiff's claimed injuries. Defendants also argued that the driver's negligence was not the proximate cause of Plaintiff's injuries. They contended that Plaintiff must have been injured while on the job or somewhere else, and was exaggerating his condition. Plaintiff was a 51 year old single male who was a self employed landscaper. <i>George Deskins v. Eric Cunningham, et al., No. 2004 CV 0344 (July 2006).</i>
Cuyahoga	2006	\$2,800,000	Plaintiff was a truck driver employed by All Erection & Crane Rental Corp. He was sent to Michigan on a job and his supervisor requested that he help load a large cable onto a crane. As he was loading the cable which weighed more than 100 lbs. and was several inches in diameter, it came uncoiled. The knuckle snapped back and struck Plaintiff in the head. Plaintiff alleged Defendant hired union ironworkers without training them how to properly bind the cable and never designated a competent foreman for the job. Plaintiff claimed he sustained a concussion, suffers from ongoing seizures and has some cognitive problems. Plaintiff asserted that he lost his ability to work because he no longer qualified for his commercial driver's license. Defendant contended that Plaintiff knew how the cable was secured. Defendant asserted that it relied on the union to properly train its workers. Plaintiff was a 59 year old married white male employed as a truck driver. <i>Russell Nank, et al. v. All Erection &amp; Crane Rental Corp., No. 537186 (July</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
			2006).
Miami	2006	\$15,248	Plaintiff was riding his motorcycle on a residential thoroughfare. As he neared its intersection with the state road, Plaintiff slowed for a vehicle in front of him that was turning. His motorcycle was rear ended by a dump truck driven by an employee of Defendant. This was a minor accident and Plaintiff was able to lay his motorcycle down and stumble to the side of the road where he immediately laid down. Defendant admitted liability for its employees actions and the case proceeded on the issues of damages and proximate causation. Plaintiff alleged he suffered serious neck and back injuries that required extended treatment which continued to the date of the trial. He claimed he had no preexisting conditions and his complaints were directly related to this accident. Defendant contended Plaintiff was not injured as extensively as he claimed, he recovered from his injuries and did not need several years of medical treatment. Plaintiff was a 45 year old married male employed as an engineer. <i>George Sherry, et al. v. Puckett Trucking, No. 05-223 (June 2006).</i>
Cuyahoga	2006	\$11,000	Plaintiff was a passenger in a vehicle that was struck from the rear by a truck driven by Defendant. Defendant was driving a flatbed truck carrying i-beam steel. Plaintiff alleged she hit her right knee on the dashboard as a result of the accident. Plaintiff asserted that the accident caused an aggravation of her preexisting degenerative knee arthritis. She ultimately had a total right knee replacement and alleged it was related to the MVA. Defendant admitted liability for the crash, but contended the knee replacement surgery was not related to the accident. Plaintiff was a 64 year old single black female who was retired. <i>Carolyn Woodfork v. Scott Beans, et al., No. 540340 (May</i>

Personal Injury			
Venue/County	Year	Outcome	Summary
			2006).
Lucas	2006	Defense verdict	Plaintiff was operating her motor vehicle in the curb lane of her roadway. Defendant was traveling in the same direction in the inside lane of the same roadway. Defendant entered the left turn lane. He realized he did not want to make a turn and attempted to return to the inside lane, where a dump truck was now present. The dump truck driver then swerved into the curb lane to avoid Defendant's vehicle and hit Plaintiff's car. The driver of the dump truck was a third party to this action but the complaint against him was dismissed. Negligence was stipulated and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged she sustained soft tissue, low back injuries, and an aggravation of preexisting degenerative disc disease as a direct result of the accident. Plaintiff also argued she suffered soft tissue, shoulder injuries with continuing pain. Defendant argued Plaintiff had a history of preexisting problems and her injuries were not as severe as she claimed, noting her ability to continue certain physical activities. Plaintiff was a 51 year old white female. <i>Pearl Kasakaitis v. Phillip Silverman, No. CI20051387 (May 2006)</i> .
Franklin	2006	\$10,000	Plaintiff was operating his motor vehicle when he was involved in a multiple vehicle rear end collision while stopped at a traffic signal in a left turn lane. Plaintiff alleged he sustained right shoulder and neck injuries that required five months of treatment as a direct result of the impact. Plaintiff also asserted he required the use of prescription antiinflammatory medication to treat his soft tissue injuries. Further, Plaintiff argued he suffered an idiosyncratic reaction to the antiinflammatory medication that caused severe liver damage and resulted in total liver failure. He required a liver transplant. Defendant denied Plaintiff suffered any injuries related tot his rear end collision. Defendants maintained that Plaintiff's shoulder and

Personal Injury			
Venue/County	Year	Outcome	Summary
			neck injuries were proximately related to a prior motor vehicle collision that occurred two weeks before this collision. Also, Defendants disputed that Plaintiff's liver injuries were proximately related to the accident, asserting that the liver injuries were preexisting and related to Plaintiff's history of hepatitis B. <i>Joseph Gbonoi, et al. v. William Jessie, et al., No. 04CV001736 (May 2006).</i>
Franklin	2006	Defense verdict	Plaintiff was seated in a stopped city dump truck that was being loaded with snow to be removed from a city street. The dump truck was struck by a vehicle driven by Defendant. Defendant admitted liability and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged he sustained soft tissue neck and back injuries. Plaintiff asserted his injuries required chiropractic treatment and he missed two months of work due to the injuries. Plaintiff's injuries had resolved at the time of trial. Defendant disputed that Plaintiff's injuries were proximately related to the collision. Defendant contended he bumped the rear of the dump truck and Plaintiff was not injured in the minimal impact accident. Defendant relied on photographs of his car that showed no property damage despite the fact his vehicle was an older model that had a front bumper which came to a point in the center. Plaintiff was a married male in his late 40s employed by the City of Columbus. <i>Michael Crowder v. Andre Poulin, No. 04 CV 006501 (April 2006).</i>
Portage	2006	\$100,000	Plaintiff was riding in a vehicle with her husband. Defendant, who was operating the dump truck, pulled from a stop sign into the path of Plaintiff's oncoming vehicle. Plaintiff's truck was dragged by Defendant's vehicle when the dump truck became wedged beneath the bed of the pick up truck. It was day light and weather was not a factor. Plaintiff claimed she sustained serious knee injuries as a direct result of the accident. Defendants disputed the extent of Plaintiff's

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			injuries, citing current x-rays that showed arthritic changes. Plaintiff was a 50 year old married white female employed as a clerical worker for the City of Stow. <i>Carol Muesel v. Leo Gallagher, et al., No. 02 CV 1104 (April 2006).</i>
Mahoning	2004	\$1,700,000	Plaintiff was working in the construction area along Route 11. He was replacing an orange construction barrel when the barrel was struck by a passing tractor-trailer. Plaintiff called in the truck's license plate number to the police, who located the driver and returned him to the scene of the accident. Two days later, Plaintiff complained of neck and back pain and was seen in the emergency room. He was diagnosed with lumbar sprain and released from the hospital. An MRI later revealed a disc bulge at Plaintiff's back at L4-L5. Another MRI later revealed disc herniation and a cord compression at the C5-C6 and C6-C7 levels. Plaintiff underwent surgery on the C4, C5, and C6 levels. Plaintiff underwent corrective surgery, but the delay in treatment allegedly resulted in a permanent disability. Defendant contended that the back and neck injuries were pre-existing and not a result of the accident. Defendant claimed Plaintiff's pre-existing condition would have become symptomatic regardless of the accident. Defendant denied liability for the subsequent medical negligence. <i>Randy Graham v. Warner Trucking Company, No. 01CV1574.</i>
Cuyahoga	2004	\$450,000	Plaintiff was a self-employed restaurant owner from New York. He and a number of other workers were being transported via a livery van to work in the Cleveland area over the Asian holidays. While driving under the posted speed limit along an Ohio interstate, the van was driving in the same direction as a tractor-trailer. The tractor-trailer came up behind the van and did not realize until too late how slow the van was traveling. The tractor-trailer rear-ended the van, causing the van to roll several times. Plaintiff was

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			ejected from the vehicle. With the exception of Plaintiff's claim, all claims were resolved prior to trial. Plaintiff claimed to have sustained a herniated lumbar disc cervical burst fractures, multiple rib fractures, and a closed-head injury. Plaintiff further claimed that he required the use of a cane for ambulation following the accident. Defendants denied liability arguing that the van driver was driving too slowly on the interstate, which created an unavoidable accident scenario. Defendants also disputed the extent of Plaintiff's injury claims. Plaintiff was a 51-year-old divorced male who was self-employed as a restaurant owner. <i>Zaho Wang v. Merle Hunsberger, et al., No. 471128, June 2004.</i>
Cuyahoga	2004	Defense Verdict	Plaintiff, a sanitation worker, was riding as a front seat passenger in the cab of a city sanitation truck. The vehicle in which Plaintiff was a passenger was involved in a collision on an interstate highway with a vehicle operated by Defendant. The collision occurred while the vehicles were traveling in adjacent lanes on the highway. Defendant struck the passenger side of the sanitation truck after Defendant lost control of her vehicle due to tire difficulties. Defendant admitted liability for the collision and the case proceeded on the issues of proximate cause and damages. Plaintiff argued that she sustained permanent carpal tunnel syndrome to her dominant right hand, alleging that she struck her right hand and wrist on the passenger door of the cab during the collision. Defendant contended that Plaintiff's injuries were pre-existing and related to the repetitive motions Plaintiff was required to perform in the ordinary course of her employment as a sanitation worker. <i>Marlene Hollis-Harding v. Kathleen Heywood, No. CV03517049, June 2004.</i>
Montgomery	2004	\$75,000	Plaintiff was injured as a result of an automobile accident wherein the Suburban vehicle he was driving was rear-ended by a small U-haul truck while stopped at a stop sign. Plaintiff alleged that he suffered a neck

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			injury with permanent limitation of motion. Plaintiff, a professional truck driver, claimed he was unable to drive for a period of 2 weeks after the accident and was unable to perform his part-time weekend job for 6 weeks. Defendant admitted liability, but disputed coverage. Additionally, Defendant disputed the extent and nature of Plaintiff's injuries, as well as proximate cause. Plaintiff was a 58-year-old single white male who was a professional truck driver. <i>Michael King v. State Automobile Mutual Insurance Company, No. 2003-CV-02174, June 2004.</i>
Hamilton	2004	\$344,158	Plaintiff and Defendant were operating their respective vehicles westbound on I-74. Plaintiff failed to stop for traffic ahead of him and rear-ended another car. Defendant, who was operating a semi-tractor trailer behind the Plaintiff, then struck the rear of Plaintiff's vehicle. Plaintiff's car was totaled as a result of the collision. Plaintiff alleged that he sustained a torn rotator cuff, which required surgery as a result of this accident. Plaintiff claimed he is no longer able to hunt or fish due to his injury. Defendants' disputed damages and causation. They contended that Plaintiff's injuries were the result of a workplace injury and/or recreational activities like hunting and fishing. Plaintiff was a 48-year-old married white male who worked as a heavy equipment operator. <i>Connie Smith, Sr., et al. v. John Nitzkey, et al., No. A-0108578, May 2004.</i>
Cuyahoga	2004	\$13,500	Plaintiff, age 17, was driving a vehicle owned by his mother. Defendant was operating a truck along the same street and in the same direction as Plaintiff's vehicle. As the Plaintiff slowed down, Defendant driver rear-ended the Plaintiff's vehicle, which was totaled in the collision. Plaintiff claimed to have sustained a torn medial meniscus in his right knee and argued that he incurred lost wages and lost job opportunities. Defendants argued that its driver did not

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			cause the accident. Plaintiff slowed and the driver was unable to stop in time. Also, they argued that the collision could not have caused the knee injury because the Plaintiff did not seek treatment for 18 months. <i>Ryan Sweeney, et al. v. Pepsi-Cola Company, et al., No. CV02503636, April 2004.</i>
Hamilton	2004	Defense Verdict	Plaintiff was operating his motor vehicle when he was involved in a collision with Defendant. The parties disputed the facts surrounding how the accident occurred. Plaintiff alleged that he was stopped at a stop sign waiting to make a right turn when he was rear-ended by Defendant. Defendant denied that he had rear-ended Plaintiff's vehicle. Defendant asserted that Plaintiff started to make a right turn, but then began to back his vehicle after noticing that the delivery truck was parked next to the lane in which Plaintiff was attempting to turn. As Plaintiff was backing, according to Defendant, Plaintiff struck the front of Defendant's vehicle. Plaintiff maintained that he suffered permanent soft tissue neck and back injuries as a direct result of the motor vehicle collision. Plaintiff was a divorced male in his 40's who was employed as a taxi cab driver. <i>Nathaniel Pegg v. John Wood, No. A-0301172.</i>
Lucas	2004	Defense Verdict	Plaintiff was operating his semi-tractor trailer on I-275 in a construction zone where work was being done by Defendant, National Engineering and Contracting. While traveling through a temporary one-lane area of the roadway, Plaintiff lost control of his truck, which then struck a concrete barrier and traveled down an embankment. Plaintiff alleged that the roadway had become worn by semi-tractor trailer traffic and Defendant was negligent in failing to properly maintain the roadway through the construction zone. Plaintiff asserted that he suffered a herniated cervical disc, which required surgery. Defendant denied that the temporary lane was defective or that Defendant had

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			been negligent in maintaining the roadway. The defense argued that Plaintiff lost control of his truck due to Plaintiff's own actions. Further, Defendant asserted that Plaintiff's injuries were degenerative in nature and not proximately related to this single vehicle collision. Plaintiff was a 39-year-old male. <i>Russell Setmire v. National Engineering Contracting, No. CI00-4368, March 2004.</i>
Franklin	2004	Defense Verdict	Plaintiff was driving a school bus for Columbus Public Schools on northbound I-71. As the driver of a dump truck with a trailer attempted to merge onto northbound I-71, there was contact between the dump truck and the bus. Plaintiff claimed that she sustained soft tissue injuries and that treatment for those injuries was necessary and the direct result of this accident. Defendant contended that Plaintiff failed to maintain her lane of travel when she saw Defendant merging onto the highway. Defendant also asserted that Plaintiff had a significant psychiatric history that affected her ability to drive, made her less credible, and affected her ability to recall accident details. (First psychiatric illness caused amnesia.) Plaintiff was a 50-year-old married white female who was a school bus driver. <i>Mary White v. Robert Laman, No. 03-CV-751, March 2004.</i>
Cuyahoga	2004	\$7,279	While a Regional Transit Authority bus in Cleveland was stopped, a utility truck owned by Defendant, Cleveland Division of Public Power, backed into the bus. Three passengers of the bus were taken from the scene to the emergency room at St. Vincent's Hospital and treated for soft tissue injuries and released. Plaintiffs (the 3 passengers) alleged that they sustained soft tissue neck and back injuries as a result of the accident. Defendant disputed the extent of Plaintiffs' damages. <i>Haywood, et al. v. Cleveland Division of</i>

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			<i>Public Power, No. 463000, March 2004.</i>
Cuyahoga	2004	\$2,057,000	Plaintiff was driving his vehicle when he was struck on the passenger side by a semi-tractor trailer. The accident occurred when the truck driver switched lanes while Plaintiff was driving in the truck driver's blind spot. The details of the accident were not in dispute as Defendants admitted liability for causing the accident. Plaintiff acknowledged that he did not seek treatment from a physician for 6 weeks after the accident. However, he later obtained an MRI, which was positive for a herniated disc. He later underwent fusion surgery, which failed and Plaintiff was permanently disabled from working. Defendants continued that Plaintiff may have suffered a bulging disc from which he should have recovered in 3-6 months. Defendants claimed that Plaintiff's complaints may have been related to underlying arthritis. Plaintiff was a 39-year-old male, who worked as a machinist. <i>Mijo Komso, et al. v. Mid-America Trucking, et al., No. CV-01-448962.</i>
Montgomery	2004	Defense Verdict	Plaintiff and Defendant were operating their respective vehicles on the same road and in the same direction. There were 2 lanes of traffic for the direction in which the parties were traveling. Plaintiff's vehicle struck the rear end of the Defendant's vehicle. Plaintiff argued that she suffered permanent soft tissue injuries which required treatment. Defendants asserted that its driver had been traveling in the right lane ahead of Plaintiff's vehicle at the time of the collision and that he was rear-ended by Plaintiff when the Defendant driver slowed to make a right turn. Defendants also maintained that Plaintiff was talking on her cell phone and was inattentive at the time of the collision. Defendants also argued that Plaintiff's claimed injuries were pre-existing and Plaintiff had engaged in over treatment. Plaintiff was a 30-year-old single female who was employed as a lending agent for a bank. <i>Jahnita Gomez-Deleone v. Christopher Waddell, et al., No.</i>

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			2003-CV-1430, February 2004.
Hamilton	2004	\$244,765	Plaintiff was a truck driver who was injured at Defendant, Omaha Paper Stock Company, while he was waiting for large bundles of cardboard to be loaded onto his truck. While Plaintiff waited on the loading dock, one of Defendant's forklift drivers was unloading the incorrect cardboard from Plaintiff's truck. A bundle fell from the forklift and struck Plaintiff's leg. The bundle weighed approximately 1,000 lbs. and its impact fractured Plaintiff's tibia and fibula. Plaintiff alleged that he suffered a permanent injury when Defendant's employee negligently dropped the bundle of cardboard onto his leg. Defendant contended that Plaintiff should have been in the cab of his truck while the truck was being loaded. Defendant argued that Plaintiff was a trespasser on the loading dock and, thus, was not entitled to as high a standard of care. Plaintiff was a male who was employed as a truck driver in his 30's. <i>Bruce Miller v. Omaha Paper Stock Company, No. A-0108196, February 2004.</i>
Montgomery	2004	\$280,000	Plaintiff was a front seat passenger in a vehicle traveling westbound on Needmore Road in Dayton. The car was stopped behind another at a traffic control signal. Defendant was operating a 1989 Freightliner truck on Needmore Road in the opposite direction of the Plaintiff. Defendant was traveling approximately 30 mph when he attempted to turn left. He made a wide turn and struck the vehicle in front of the Plaintiff. The force of the collision pushed the vehicle backward into the front position of the vehicle in which Plaintiff was a passenger. Plaintiff lost consciousness at the scene of the accident and was transported to the hospital by ambulance. Plaintiff alleged that he was seriously injured as a direct and proximate result of Defendant's negligence. Plaintiff claimed to have sustained head, arm, neck, and back injuries which were debilitating and permanent. Defendants admitted

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			liability, but contested the reasonableness and necessity of Plaintiff's medical treatment and expenses. Plaintiff was a 65-year-old married white male employed as a special agent with the Ohio Bureau of Investigation and Identification. <i>Thomas Hubler, et al. v. Yowell Transportation Services, Inc., et al., No. 02-CV-3289, February 2004.</i>
Wood	2004	Defense Verdict	Plaintiff was traveling approximately 65 mph on I-280 in the fast lane when he struck the rear of Defendant's semi-tractor trailer. At the time of the collision, Plaintiff's driver was traveling at approximately 35 mph in the fast lane. The truck driver had been experiencing engine problems and had previously pulled to the side of the road. At the time of the collision, the truck driver had spotted a truck stop and was attempting to re-enter the roadway to proceed to the truck stop. Defendant asserted that Plaintiff failed to keep a proper lookout and rear-ended the semi-tractor trailer. Plaintiff suffered a fractured hip and laceration to the knee. He was transported to the emergency room and hospitalized for 3 days. Plaintiff's wife claimed loss of consortium. <i>Kenneth Fairbanks, et al. v. Unibulk, No. 03CV116.</i>
Lake	2004	Defense Verdict	Plaintiff was a front seat passenger in a work truck which was rear-ended by Defendant's vehicle. Defendant admitted liability and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that he suffered a torn ACL as a direct result of the collision. Further, Plaintiff argued that his knee injury required treatment in addition to reconstructive surgery. Defendant denied that Plaintiff's knee injury was proximately related to the rear-end collision. Defense argued that if Plaintiff had suffered a torn ligament, he would have realized the injury at the scene. However, Plaintiff did not seek treatment for any knee injury until the day following the collision. Plaintiff was a 29-year-old male who was a swimming

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			pool builder. <i>Kurt Ballish v. Vincent Pitrone, No. 03CV000433.</i>
Summit	2003	\$130,000	Plaintiff was operating his motor vehicle through an intersection when he collided with a flatbed semi-tractor trailer which was disabled in the intersection. The flatbed truck had become disabled when it was struck by Defendant's vehicle. Plaintiff suffered a fractured femur and a fracture patella in the right leg requiring surgery and resulted in a significant permanent limp. Plaintiff claimed \$60,000 in past medical specials, \$10,000 in future medical specials, and \$10,000 in past wage loss. Defendants asserted that Plaintiff should have been able to see the truck and that Plaintiff's brakes may not have been working properly. Plaintiff was a single male in his late 20's who was employed as a foundry worker. <i>John Hankins, et al. v. Taryn Greene, et al., No. CV2002-12-7111.</i>
Hamilton	2003	\$3,400	Plaintiff, an adult female, was a passenger in a vehicle driven by her grandfather. Plaintiff's vehicle came to a stop and was rear-ended by a truck owned by Defendant. The collision resulted in minor property damage. Plaintiff alleged that she sustained soft tissue neck and back injuries which required chiropractic treatment. Defendant disputed the extent of any injuries sustained by Plaintiff and disputed her claim damages. <i>Ophellia Kyles v. Husman Snack Foods, No. A-0204907, November 2003.</i>
Cuyahoga	2003	\$318,409	Plaintiff, a Home Depot employee, was unloading a cart of flowers as part of her job. The flowers were being lowered from the truck on a lift gate. Plaintiff was in the process of checking a cart of flowers that had just been lowered when the truck driver proceeded to lower another one. Plaintiff claimed that the driver had forgotten to pick up the kick plate and as a result,

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			the cart began to roll off in her direction. Plaintiff claimed that she put her hands out to shield herself from the cart, but that it collided with her, knocking her to the ground. The defense argued that the accident never happened, noting that the truck driver testified that he did not remember the cart rolling or colliding with Plaintiff. In the alternative, the defense claimed that Plaintiff was comparatively negligent for standing too close to the lift gate while the driver lowered the next cart. Plaintiff claimed a herniated lumbar disc that required a one level fusion and pain management treatment. She sought \$300,000 for medical expenses and lost wages of approximately \$25,000. <i>Halle Davis v. H.D. Harris &amp; Sons, et al., No. 45-2009, November 2003.</i>
Richland	2003	\$20,000	Plaintiff was sitting in his vehicle in the parking lot at his law office. At the same time, a tow truck driver employed by Defendant was driving nearby with a Mustang in tow. The Mustang came loose and struck Plaintiff's parked vehicle. Defendant admitted liability for the accident. Plaintiff claimed a wrist injury and significant dental injuries as a direct result of this accident. Defendant disputed damages and causation and claimed Plaintiff had pre-existing conditions. Plaintiff was a male in his 60's who worked as an attorney. <i>Norman Morton v. Eddie's Sunoco, No. 02CV1078, November 2003.</i>
Montgomery	2003	\$19,792	Plaintiff was driving her father to work in her vehicle. As Plaintiff was traveling on I-675, they were behind and to the right of one of Defendant's delivery trucks. The rear wheels of the truck detached from the truck and rolled down the highway. Subsequently, the wheels bounced on the hood of Plaintiff's vehicle, on top of the vehicle, and then through the windshield. Plaintiff was able to pull her vehicle from the highway after the incident and no other vehicles were involved. Liability for the incident was stipulated and the case

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			proceeded on the issues of proximate cause and damages. Plaintiff's father, also a Plaintiff, suffered a torn rotator cuff which required surgical repair. Plaintiff also argued that she had sustained glass in her foot which required removal. Defendants contended that the father's shoulder injury was related to pre-existing bicipital tendonitis in his left arm. Defendants did not dispute Plaintiff daughter's injuries. <i>William Hendricks, et al. v. Krispy Kreme, Inc., et al., No. 2002CV2598, September 2003.</i>
Cuyahoga	2003	\$190,000	Plaintiff was waiting to make a left-hand turn at the bottom of a large hill, when a 1993 tractor-trailer, hauling 80,000 lbs. of lumber, experienced brake failure and rear-ended her car. Plaintiff suffered soft tissue injuries and an exacerbation of a pre-existing condition of fibromyalgia. She also suffered a closed-head injury diagnosed as mild TBI. Plaintiff sought \$20,000 for medical expenses, pain and suffering, and loss of ability to enjoy life. The Defendants claimed that Plaintiff was unable to keep a clear distance as he met with a sudden emergency failure of his brakes. <i>Vickie Steciow, et al. v. Shultz Cartage, Inc., et al., No. 459501, September 2003.</i>
Hamilton	2003	\$58,828	Plaintiff was operating her vehicle when she was involved in a T-bone collision at an intersection with a dump truck. Plaintiff's vehicle struck the rear wheel well of the driver's side on the dump truck. Plaintiff, who was not subject to a stop sign at the intersection, alleged that Defendant had "rolled through" a stop sign at the intersection. Plaintiff maintained that she struck her knee on the dashboard and was suffering from "dashboard knee." She argued that, due to a tear in the medial meniscus, she would require a future total knee replacement. She also alleged that she suffered a ligament injury in her wrist which would require future surgery. She further asserted that her injuries were disabling and that she would be unable to continue her

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			employment as a data entry operator. Defendant disputed all of these claims. Plaintiff was a 52-year-old divorced female. <i>Lois Mason v. P.D. Midwest Transport, Inc., et al., No. A-0105647, September 2003.</i>
Lucas	2003	Defense Verdict	Plaintiff was a driving instructor who was giving a driving lesson to Defendant student. Plaintiff was riding in the front passenger seat of the instruction vehicle, which was equipped with a separate brake for the instructor's use. After Defendant pulled into an intersection, the vehicle was struck on the driver's side by a tractor-trailer (not a party). The tractor-trailer was not subject to any traffic control devices at the intersection. Plaintiff claimed that she suffered soft tissue neck and back injuries. Defendant argued that Plaintiff instructor was comparatively negligent in failing to apply the separate brake to which she had access in the instruction vehicle. The jury returned a verdict which found Plaintiff to be 70% at fault and Defendant 30% at fault. Plaintiff was a 55-year-old divorced female who was employed as a driving instructor. <i>Laberdee v. Masters, No. CI01-3631, July 2003.</i>
Portage	2003	\$312,500	Plaintiff, a truck driver, was a passenger in a semi-tractor trailer involved in a collision during a snow storm with Defendant's vehicle. Defendant's vehicle was traveling in the opposite direction of the semi-tractor trailer when he lost control of his vehicle and across the centerline of the roadway in a sideways position. Defendant's vehicle then struck the semi-tractor trailer in which Plaintiff was a passenger. At the time of the collision, Plaintiff was lying in the sleeper berth of the semi. The impact of the collision caused Plaintiff to fall from the sleeper berth. Liability was admitted and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered a concussion and that she began to

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			experience back pain 2 days after the incident. Several months later, she sought treatment and was eventually diagnosed with a herniated lumbar disc, which required 2 surgeries. Defendants argued that Plaintiff was suffering from a severe degenerative disc disease prior to the collision and that Plaintiff's need for treatment and surgery was proximately related to that pre-existing condition. Defendants supported their argument by pointing to the fact that the initial MRI and the other diagnostic tests did not show a herniated disc. Plaintiff was a 42-year-old married white female who worked as a truck driver. <i>Valerie Blagburn, et al. v. Anthony Schaffield, et al., No. 2001-CV-00213, July 2003.</i>
Lucas	2002	\$50,166	Plaintiff was traveling west on U.S. 20 followed directly by another vehicle. Defendant, Toledo Edison, was performing an emergency repair on the south side of the roadway and its trucks were partially blocking the eastbound lane of travel. A semi-truck traveling east on U.S. 20 proceeded around Toledo Edison's vehicles and then partially entered the westbound lane of travel. Plaintiff slowed her vehicle in response and swerved slightly. The vehicle behind her then rear-ended Plaintiff's vehicle. Plaintiff alleged that Toledo Edison was negligent in failing to flagmen at the scene of its emergency repair. Plaintiff also asserted that the vehicle behind her was negligent in failing to maintain an assured clear distance. Plaintiff claimed that she suffered soft tissue neck injuries which required physical therapy as a direct result of the accident. The Defendants blamed one another. Plaintiff was a 39-year-old white female who was employed as an assembly line worker at Daimler Chrysler. She claimed \$11,319 in past medical specials and \$24,357 in past wage loss. The jury found that the driver of the vehicle behind Plaintiff was the sole proximate cause of Plaintiff's injuries. <i>Cheryl Genot v. Daniel Ford, et</i>

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			<i>al., No. C10200101981, December 2002.</i>
Cuyahoga	2002	\$753,053	Plaintiff was a back seat passenger in a minivan which was being operated by co-Plaintiff. While Plaintiffs were stopped at an intersection for an unrelated collision, Defendant rear-ended their vehicle. At the time of the collision, Defendant was operating a large delivery truck. Defendants admitted liability and the case proceeded on the issues of proximate cause and damages. Plaintiffs allege that Plaintiff Kevin, a 7-year-old male, suffered significant injuries as the result of the rear-end collision. Kevin underwent 2 surgeries for treatment of various facial fractures. He claimed that he would require surgery in the future once he was an adult to correct facial asymmetry. Plaintiff's parents, who were both in their mid-40's, each maintained that they suffered soft tissue neck and back injuries, which required emergency room treatment as a direct result of the collision. Defendants argued that none of the Plaintiffs were injured to the extent that they were claiming. The jury verdict breakdown is as follows: \$547,660 to Kevin; \$101,887 to the father; and \$103,505 to the mother. <i>Thomas Leninger, et al. v. Patrick Borchard, et al., No. 01-01245 (December 2002).</i>
Lucas	2002	\$99,920	Plaintiff was a self-employed truck driver who was operating his semi-tractor trailer on Rt. 4. One of Defendant's UPS drivers was operating a semi-tractor with tandem trailers in the opposite direction on Rt. 4, which was a 2 lane highway. As the trucks were passing one another, the front corner of the rear UPS trailer struck the front of Plaintiff's trailer. Plaintiff's truck then left the roadway and turned over on its side. The collision occurred after dark on a narrow stretch of the roadway and it had been raining prior to the accident, so the roadway was wet. Liability was highly contested by the parties. Plaintiff asserted that he suffered significant injuries as a direct result of the

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			negligence of Defendant's driver. Defendant did not strongly contest Plaintiff's injuries; however, UPS denied liability for the collision. Plaintiff was a 48-year-old married male. <i>Dan Bernardo v. United Parcel Service, Inc., No. 01-07448, November 2002.</i>
Columbiana	2002	\$500,000	Plaintiff was operating his vehicle at an intersection when his vehicle was involved in a collision with Defendant's truck. The collision occurred as Defendant attempted to proceed through the intersection from the left of Plaintiff's vehicle. The right front of Defendant's truck struck the left front of Plaintiff's vehicle. Plaintiff alleged that he suffered soft tissue injuries as a direct result of the collision with Defendant's truck. Plaintiff's treatment consisted of physical therapy and epidural injections. The defense contended that Plaintiff's injuries were proximately related to a prior collision in which Plaintiff had been involved 90 days before this accident. Defendant also argued that Plaintiff's injuries, if any, had resolved and were not permanent in nature. Plaintiff was a 33-year-old single male who worked in a family-owned tool and die business. <i>Steven Molnar v. D.W. Duncan, No. 01CV506, September 2002.</i>
Cuyahoga	2002	\$859,000	Plaintiff was operating her vehicle on I-90 when she was involved in a collision with a semi-tractor trailer. The collision occurred after the driver of Defendant's truck made an improper lane change. Plaintiff's vehicle was knocked off the roadway and landed in a ditch as a result of the collision. Liability was admitted by Defendant and the case proceeded on the issue of proximate cause and damages. Plaintiff alleged that she suffered 2 herniated discs in her neck and torn rotator cuff in her shoulder which required surgery as a direct result of the collision. Surgery was recommended for Plaintiff's herniated discs; however, Plaintiff declined surgery. She claimed that she incurred lost wages and would incur future lost wages

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			because of her injuries. Defendant contended that Plaintiff had only suffered a cervical strain, which had resolved 6 weeks after the collision. Plaintiff was a 55-year-old single female employed as a histologist. <i>Carol Gray v. Werner Enterprises, No. 392638, June 2002.</i>
Franklin	2002	\$250,000	Plaintiff was a passenger in a vehicle which was involved in a collision with Defendant's vehicle. Defendant was driving the semi-tractor trailer when he attempted a left turn from a side street onto the roadway where the vehicle in which Plaintiff was a passenger was traveling. Plaintiff's vehicle struck the semi-tractor trailer in the rear wheels. Plaintiff received a summary judgment in his favor on the issue of liability after arguing that the driver had entered the lane of travel and failed to yield the right-of-way. Plaintiff alleged that he suffered a fractured femur, which required surgery and the insertion of a metal plate and nails in his leg as a direct result of the collision. Plaintiff argued that although he made a good recovery of 6 months, whether he would experience future problems was unknown. Defendants argue that Plaintiff had made an excellent recovery from his injuries in that Plaintiff had not suffered any permanent injury as a result of the collision. Plaintiff was a 28-year-old male who was employed as a cabinet maker. <i>Andrew Gray v. Jerry Sherrod, et al., No. 00CVC08-7095, May 2002.</i>
Columbiana	2002	\$1,000	Plaintiff was stopped in her vehicle at an intersection controlled by a stop sign when she was rear-ended by Defendant who was operating a semi-tractor trailer. Plaintiff's vehicle was pushed forward into the intersection as a result of the impact. Defendants admitted negligence and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered permanent soft tissue neck and shoulder injuries as a direct result of the collision.

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			Defendants contended that Plaintiff had only suffered minor injuries as a result of de minimal impact collision. Plaintiff was a 45-year-old married male who was employed as a laborer. He claimed \$6,100 in past medical specials. <i>Diana Shasteen v. Ed Wilson &amp; Son Trucking, Inc., et al., No. 01CV66, March 2002.</i>
Cuyahoga	2002	\$89,000	Plaintiff and Defendant were operating their respective vehicles in adjacent lanes on the highway when they were involved in a side swipe collision. Plaintiff's truck rolled off the side of the highway and into the median as a result of the collision. Plaintiff alleged that Defendant made an improper lane change and was negligent in side swiping his vehicle. Plaintiff claimed he suffered a compression fracture at T10-T11, 3 fractured ribs, and concussion as a direct result of the collision. Defendant contended that Plaintiff had changed lanes and turned into his vehicle, which was the proximate cause of the collision. Plaintiff was a 71-year-old divorced male who was a truck driver. Plaintiff claimed \$13,000 in past medical specials. <i>Wayne Watson v. Johnny Williams, No. CV421880, January 2002.</i>
Portage	2001	\$166,000	Plaintiff was operating his vehicle on a roadway when he was involved in a collision with a recycling truck. Defendant was proceeding south, but had pulled the truck into the northbound lane to retrieve recycling bins which were located just off the north berm. Plaintiff, who was proceeding south, collided with the parked truck as Defendant was dumping the bins into the truck. Plaintiff alleged that he suffered significant injuries as a direct result of the collision. Defendant admitted that its driver had parked the truck in the opposite lane in the wrong direction, but contended that Plaintiff had admitted to falling asleep after seeing the headlights of the parked truck. Plaintiff was an 18-year-old single male who was a student. Plaintiff claimed approximately \$30,000 in past medical

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			specials and \$11,000 in past wage loss. <i>Matthew Stevenson, et al. v. Charles Williams, et al., No. 99CV0326, December 2001.</i>
Franklin	2001	\$10,000	Plaintiff was operating her vehicle when she was involved in a T-bone collision at an intersection with one of Defendant's semi-tractor trailers. The semi-tractor trailer struck the passenger side of Plaintiff's vehicle. Liability was admitted by Defendants and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered soft tissue back injuries which required treatment with a family physician and an orthopaedist and rendered her unable to work as a result of the collision. Defendants contend that Plaintiff was suffering from pre-existing back problems and that within 4 months of the collision, she had recovered to her pre-collision condition. Plaintiff was a married female in her 50's. Plaintiff claimed \$7,000 in past medical specials and \$27,000 per year in lost wages. <i>Joyce Watson v. Trinton Herod, et al., No. 00-CV-482, December 2001.</i>
Mahoning	2001	\$350,000	Plaintiff, a patron of Defendant Slag Manufacturer, had loaded his dump truck with slag and then had the load weighed. Plaintiff next pulled his truck to the side of the entrance to check his load and his oil. Defendant employee operated a front-end loader that crossed the road from another part of the facility and entered the entrance when its brakes failed. The bucket of the front-end loader struck Plaintiff's dump truck and the hood slammed shut on Plaintiff's neck. Defendant driver received a directed verdict on the issue of liability in his favor. Plaintiff also received a directed verdict against Defendant company on the issue of liability and the case proceeded on the issue of proximate cause and damages. Plaintiff alleged that he was standing under the hood of his dump truck when it slammed shut onto his neck resulting in a herniated disc at C5-C6 which required chiropractic treatment

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			and would require a future discectomy with a fusion. Defendant contended that Plaintiff had been standing next to Plaintiff's dump truck and was struck by the side mirror, not the hood of the dump truck. Further, Defendant argued that Plaintiff's injuries were pre-existing. Plaintiff claimed \$10,000 in past medical specials; \$25,000-\$35,000 in future medical specials; and \$40,000 per year in diminished earning capacity for the rest of his work life. <i>Edward Wilhelm v. LaFarge North America, No. 98CV2707, November 2001.</i>
Crawford	2001	\$11,000	Plaintiff was operating his vehicle when he was involved in a T-bone collision at an intersection controlled by a traffic signal with Defendant who was operating a semi-tractor trailer in the course and scope of his employment. The parties disputed the facts surrounding the collision. Plaintiff claimed he suffered a permanent shoulder injury which required surgery and left him unable to pursue the jobs in the automotive field for which he had trained, which resulted in a diminished earning capacity. Defendants argued that Plaintiff's shoulder injuries were related to a congenital condition and not the collision. Plaintiff was a 17-year-old single male who was a student. Plaintiff claimed \$29,000 in past medical specials in an excess of \$750,000 in diminished earning capacity. <i>Joseph Shade v. Donald Anger, et al., No. 99-CV-215, October 2001.</i>
Lucas	2001	\$7,632	Plaintiff owned a tow truck which was involved in a collision with Defendant's vehicle. The tow truck sustained property damage in the amount of \$6,107 as a result of the collision. Plaintiff alleged that he suffered \$5,043 in lost profits during the time his tow truck was being repaired and that he lost future business and revenue in the amount of \$51,044 through the end of the year because of the time the tow truck was out of commission. Defendant contended that Plaintiff failed

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			to follow the procedures to get the tow truck repaired and that Plaintiff kept poor records and could not adequately prove the alleged losses. <i>Sam Grigsby d/b/a Sam's Towing Service v. Frank Williams, No. CI-00-2381 (October 2001).</i>
Hamilton	2001	Defense Verdict	Plaintiff was operating her vehicle on the interstate highway when she was involved in a collision with a semi-tractor trailer. The parties disputed how the collision occurred. Plaintiff alleged that Defendant struck her vehicle when he attempted to change lanes. Defendants contended that Plaintiff had swerved in front of Defendant and the semi-tractor trailer which resulted in the collision. Plaintiff claimed she suffered a torn rotator cuff which required surgery, soft tissue neck and back injuries, and a lacerated liver as a direct result of the collision. Plaintiff claimed approximately \$30,000 in past medical specials and approximately \$1,500 in past wage loss. <i>Zarifa Mustafa v. Gerald Baugher, et al., No. A-005451, October 2001.</i>
Cuyahoga	2001	\$325,000	Plaintiff was driving a cement truck at a construction site. He alleged that Defendant, contractors on site, directed him as he backed up a ramp. The ground gave way and the truck rolled over with Plaintiff inside. Plaintiff alleged that the Defendant employees misdirected him up the ramp and that the Defendant who built the ramp built it too narrow, too high, and failed to pack the dirt. Plaintiff claimed he suffered permanent injuries as a direct result of the accident. Defendant contended that Plaintiff was driving his truck forward when he drove off the side of the ramp and rolled, thereby causing the accident. Defendant ramp maker denied that the ramp was unsafe and both Defendants disputed the nature and extent of Plaintiff's injuries. Plaintiff was out of work for over 1.5 years. He returned to work with complaints of permanent pain. He sought \$30,000 in medical specials and \$75,000 in wage loss. <i>Carl Green v. Northcoast</i>

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			<i>Concrete, Inc., et al., No. 406988, September 2001.</i>
Franklin	2001	\$25,000 less 50% comparative negligence	Plaintiff husband and wife were operating an RV and another vehicle on I-70. They had stopped the vehicles on the side of the roadway to recharge the lights on the RV. A semi-tractor trailer was proceeding on I-70 when it collided with the side of the vehicle. Plaintiff wife was seated in the vehicle and Plaintiff husband was standing in front of the vehicle which was pushed forward from the impact. Plaintiff husband suffered a leg injury and Plaintiff wife suffered soft tissue injuries with continuing problems as a direct result of the incident. Defendants contended that its driver was operating the semi-tractor trailer in his lane of travel and that Plaintiff wife struck the semi-tractor trailer as she was maneuvering the vehicle to get it into position next to the RV. Defendants further argue that Plaintiff wife's injuries had resolved after a period of treatment as evidenced by the records of one of her treating physicians. Plaintiff husband claimed \$945 in past medical specials. Plaintiff wife claimed approximately \$9,500 in past medical specials. <i>Pontious v. Fieldhouse, et al., No. 99CV9560 (August 2001).</i>
Stark	2001	\$62,813	Plaintiff was operating her vehicle when she was involved a collision at an intersection with one of Defendant's employees. Plaintiff entered the intersection on the green signal to make a left turn and Defendant's employee struck the driver's side door of Plaintiff's vehicle. Defendant admitted liability and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered a fractured pelvis, a laceration to her forehead with scarring, and permanent aggravation of pre-existing sacroiliac arthritis as a direct result of the severe impact collision. Defendant contended that Plaintiff's injuries were serious, but that she had recovered. Further, Plaintiff's arthritis was symptomatic prior to the collision and the extent of aggravation, if any, was unknown. Plaintiff

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			claimed \$28,682 in past medical specials, \$1,000-\$2,000 per year in future medicals, and \$2,500 in past wage loss. <i>Amber Pyles v. Dimensional Metals, No. 2000-CVO-2676, August 2001.</i>
Cuyahoga	2001	\$12,315	Plaintiff was operating his Ford Escort when he was side swiped by Defendant who was operating his semi-tractor trailer. Plaintiff received a directed verdict in his favor on the issue of negligence and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that he suffered 4 herniated cervical discs and 3 herniated lumbar discs which resulted in permanent motion limitations in his neck and lower back and a permanent restriction to his light duty work as a direct result of the collision. Defendants contended that Plaintiff was exaggerating the nature and extent of his injuries from the collision. Plaintiff claimed \$22,401 in past medicals, approximately \$27,000 in past wage loss, and approximately \$381,000 in future wage loss. <i>Thomas Capriato v. Anthony Tomasone, et al., No. CV406460, July 2001.</i>
Lawrence	2001	\$1,968	Plaintiff was a passenger in a pickup truck driven by her husband on a paved 2-lane state highway. Defendant was driving a semi-truck from the opposite direction loaded with steel materials. As Defendant rounded a curve, a milk crate sized piece of steel fell into the path of Plaintiff's vehicle. Plaintiff's vehicle ran over the metal, tore up its suspension, and caused the vehicle to lurch forward. Plaintiff was belted, but bounced forward in the front passenger seat of the pickup truck and struck her head on the windshield. Defendant admitted liability for the accident and the case proceeded to trial on the issues of damages and proximate cause. Plaintiff alleged that she suffered significant injury as a direct result of the accident. Defendant contended that Plaintiff exaggerated her injuries and that her claims were unrelated and she did

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Venue/County	Year	Outcome	Summary
			not treat for 6 months following the accident. Plaintiff sought \$1,968 in medicals. <i>Tammy Ferris v. James Markins, No. 00-PI-326, May 2001.</i>
Cuyahoga	2001	\$120,000	Plaintiff was operating her vehicle on the Ohio Turnpike in traffic when she was rear-ended by Defendant, who was operating a semi-tractor trailer for his employer. The collision occurred in the construction zone. Plaintiff alleged that she suffered 2 herniated cervical discs and a lumbar strain with permanent impairment as a direct result of the collision. Defendants contended that Plaintiff had stopped suddenly in a construction zone and had cut down Defendant's assured cleared distance. Further, Plaintiff's herniated discs were not proximately resulted to the collision and that Plaintiff was exaggerating the nature and extent of her injuries from the collision. Plaintiff claimed \$11,856 in past medical specials, \$45,000 in future medicals, and \$22,000 in future medical specials. <i>Helen Xirafakis v. Cardinal Freight, et al., No. CV393073, March 2001.</i>
Cuyahoga	2001	\$33,000	Plaintiff was driving her vehicle and it stopped at a light at intersection. The light turned green and she started to move forward, but stopped short because another vehicle ran the red light. Plaintiff was then rear-ended by a City of Cleveland garbage truck driven by Defendant. The speed of impact was 5 mph, but Plaintiff claimed a 50,000 lb. truck pushed her into the intersection. Plaintiff was granted summary judgment on liability and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered serious injuries which were directly related with this accident. In the pre-existing neck problems that resolved prior to the accident. Defendant contended this was a low impact accident and Plaintiff was not injured and had no complaints of radiculopathy afterward. Further, Plaintiff's complaints of pain may have been related to her cancer (from which she died

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			2.5 years after the accident). Plaintiff sought \$30,000 in medicals. <i>Estate of Nora Thomas Griffin v. City of Cleveland, et al., No. 397623, March 2001.</i>
Franklin	2001	\$73,672	Plaintiff was operating her vehicle on an interstate highway. As she attempted to pass Defendant, she was operating a vehicle from his employer. Plaintiff alleged that she was run off the roadway. Plaintiff alleged that Defendant failed to signal and began to move into her lane. Defendant contended that he had signaled prior to attempting to change lanes and that Plaintiff overreacted and ran off the roadway. Plaintiff claimed she suffered soft tissue injuries and fibromyalgia as a direct result of the collision. Defendant argued that Plaintiff was exaggerating the nature and extent of her injuries from the collision. Plaintiff claimed \$23,456 in past medical specials and \$3,000 in past wage loss. <i>Kathy Allen v. Layne Christiansen Company, et al., No. 99CVC11-9710, March 2001.</i>
Cuyahoga	2001	Defense Verdict	Plaintiff was operating her vehicle and was attempting to access a city street from a highway exit ramp. Defendant's semi-tractor trailer struck the driver's side of Plaintiff's vehicle. Plaintiff alleged that Defendant was unfamiliar with the intersection and ran a red light. Defendants contended that its driver had entered the intersection with a green signal. Plaintiff claims she suffered injuries as a direct result of the collision and Defendant asserted that Plaintiff's claimed injuries were not supported by the medical information. <i>Kelly Lozinak v. Joseph Czachor &amp; Schneider National Trucking Company, No. 391497, March 2001.</i>
Franklin	2001	\$25,300	Plaintiff was stopping her vehicle at an intersection controlled by a traffic signal. Defendant was driving a beer truck for his employer when he rear-ended Plaintiff's vehicle. Defendants admitted liability and

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			the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered soft tissue neck and back injuries requiring treatment with an orthopaedist and massage therapy as a direct result of the collision. Defendant contended that Plaintiff's injuries had been temporary and that any continuing problems in Plaintiff's upper back were proximately related to arthritis. Plaintiff was 82 years old. <i>Memphra Keely v. Dennis Fabyan, et al., No. 99CV8398, February 2001.</i>
Cuyahoga	2001	\$115,095	Plaintiff, who was employed by a furniture company, was unloading couches from one of Defendant's semi-tractor trailers. Plaintiff was struck by one of the doors of the trailer which was blown closed by the wind. Plaintiff was flipped over a sofa from the impact of the door. Following the collision, Plaintiff received emergency room, orthopaedic, physical therapy, and chiropractic treatment. Plaintiff alleged that Defendant was negligent in failing to fasten the door to a latch on the side of the trailer. Plaintiff further claimed he suffered low back strain resulting in continuing pain and motion limitations and the inability to perform heavy labor as a direct result of the collision. Defendants admitted liability, but contended that Plaintiff was engaging in over treatment of his injuries. Plaintiff claimed \$13,776 in past medical specials, \$6,700 in past wage loss, and \$62,500 in future wage loss. Plaintiff's wife claimed loss of consortium. <i>Cheatwood, et al. v. PFC, Inc., No. 407515, January 2001.</i>
Hamilton	2001	\$128,880	Plaintiff pedestrian was crossing the street in the crosswalk when she was struck by Defendant's delivery truck. Defendant admitted liability and the case proceeded on the issues of proximate case and damages. Plaintiff alleged that she suffered a fractured femur which required open reduction and internal fixation with permanent scarring on her leg as a direct

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Venue/County	Year	Outcome	Summary
			result of the accident. Defendant contended that Plaintiff had made a good recovery from her injuries. Plaintiff claimed \$28,880 in past medical specials. <i>Karen Birkmeyer v. City, Inc., No. A-9906305, February 2001.</i>
Hamilton	2000	\$25,000 less 10% comparative negligence	Plaintiff was operating her vehicle and turning westbound onto Creek Road. Defendant was traveling eastbound on Creek Road directly behind a semi-tractor trailer. As the truck slowed to make a right turn, Defendant went around the truck and collided with the front portion and driver's door of Plaintiff's vehicle. Plaintiff claimed she suffered soft tissue neck and low back injuries as a direct result of the collision. Defendant contended that Plaintiff was comparatively negligent in the operation of her vehicle. Plaintiff claimed \$3,982 in past medical specials and \$152 in past wage loss. <i>Joyce Meyer v. Melvin Kist, No. A-9805968, November 2000.</i>
Portage	2000	\$575,000	Plaintiff was a passenger in a vehicle being operated by his son. As they proceeded straight on a 2-lane road, their vehicle was involved in a collision at an intersection with a semi-tractor trailer, which had attempted a left turn. The posted speed limit for the roadway was 55 mph and all 3 accident reconstruction experts placed Defendant's speed below the posted speed limit. Liability was highly contested by the parties, but Plaintiff's injuries were not in dispute. Defendant truck owner contended that the Defendant's son failed to slow down as advised by signs approaching the intersection and that he was traveling too fast for the conditions because of the intersection. Defendant's son contended that Defendant owner's driver failed to yield the right-of-way to the vehicle and failed to exercise a proper turn. Plaintiff underwent a hip replacement and then dislocation during recovery, which resulted in permanent injury to sciatic nerve and a permanent limp. Plaintiff claimed approximately

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			\$70,000 in medical specials and \$15,000-\$20,000 in lost income from having to hire a farm hand. The jury assessed 85% negligence against the Defendant's son and 15% negligence against Defendant truck owner. <i>Frank Ruehr v. HVC, Inc., et al., No. 99CV158, October 2000.</i>
Tuscarawas	2000	\$75,000	Plaintiff was a passenger in a vehicle which was being operated by her husband in the left lane of I-77 during a snow storm. Their vehicle struck Defendant's truck after it had spun around and entered the left lane. A multiple vehicle collision ensued. Defendant driver's blamed one another. Plaintiff suffered an ulnar collateral ligament injury to her right thumb resulting in interference with Plaintiff's medical practice. Plaintiff claimed approximately \$3,000 in past medical specials. <i>Miraflor Khorshad, MD v. Barkett Fruit Company, et al., No. 2000CT030164, September 2000.</i>
Cuyahoga	2000	Defense Verdict	Plaintiff was operating his vehicle with his daughter as his passenger. Their vehicle was involved in a collision with one of Defendant, Ohio Disposal's, garbage trucks. The parties disputed the facts which led to the collision. Plaintiffs allege that Defendant was negligent in backing the garbage truck into their vehicle from a private driveway as they proceeded past. Defendants contended that the driver had backed the garbage truck into the street with the rear of the truck located at the centerline of the highway and that Plaintiff came speeding through the intersection and was struck by the truck. Plaintiffs each alleged that they suffered soft tissue neck and back strain as a direct result of the collision. Plaintiffs claimed \$4,150 in past medical specials. <i>J.W. Robinson, et al. v. Gerald Crawford, et al., No. 379110, August 2000.</i>

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Franklin	2000	\$700,000	Plaintiff was driving a semi-tractor trailer in the right lane near an intersection with I-270 in Columbus. He was traveling about 30 mph when Defendant driver cut in front of Plaintiff to make a quick left turn at 10 mph and the vehicles collided. The accident caused neck injuries to Plaintiff and seriously injured the Defendant. Defendant admitted liability for the accident so details were not an issue. The case proceeded to trial on the issue of damages and proximate cause. Plaintiff alleged that his injury was so serious that he could no longer work as a result. Defendant contended that Plaintiff's damages were exaggerated, that Plaintiff's neck condition pre-existed this accident, and there was no reason Plaintiff could not go back to work as a truck driver. <i>John Kerr v. Dennis Kaps, No. 99CVC01-31, May 2000.</i>
Mahoning	2000	Defense Verdict	Plaintiff pulled out into the intersection with a flashing red signal and was struck by Defendant, who was operating a truck, who was proceeding through the intersection on a flashing yellow signal. The collision involved substantial impact. Plaintiff alleged that she suffered a ruptured aorta, lacerations and contusions as a direct result of the accident. Defendant contended that Plaintiff failed to yield the right-of-way to him and that she was the sole proximate cause of the collision and her injuries. Plaintiff claimed \$87,000 in medical specials and \$28,300 earning capacity. <i>Karen Cramton v. Landmark Coop, et al., No. 98-CV-1248, April 2000.</i>
Franklin	2000	\$177,832	Plaintiff was stopped in traffic in a semi-tractor trailer when he was rear-ended by Defendant's driver, who was also operating a semi-tractor trailer and traveling between 40-55 mph at the time of the collision. Defendant admitted liability and the trial proceeded on the issues of proximate cause and damages. Plaintiff alleged he suffered an umbilical hernia and soft tissue neck and back injuries as a result of the collision. Defendant contended that Plaintiff's umbilical hernia

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			was not proximately caused by the collision and that Plaintiff was exaggerating the nature and extent of his soft tissue injuries. Plaintiff claimed \$9,500 in past medical specials. <i>Leland Hoyle v. Merlin T. Lile Trucking Company, No. C-2-98-1018, March 2001.</i>
Warren	2000	\$20,087	Defendant was driving a truck left of center to avoid a bicyclist, jack knifed, and caught the side of Plaintiff's vehicle traveling in the opposite direction. Defendant admitted liability for the moderate speed accident. Plaintiff alleged that he suffered serious injury which required a year for him to recover. Defendant contended that Plaintiff's injuries were minor and that he had recovered. Plaintiff sought \$10,000 in lost wages and \$10,000 in medicals. He asked the jury for \$50,000. <i>James Snider v. Richard Hyden, et al., No. 98-CV-55111, March 2000.</i>
Lucas	2000	\$804,000	Plaintiff was operating a farm tractor and pulling a load of beans on a rural 2-lane roadway when she was rear-ended by Defendant's semi-tractor trailer. Plaintiff jammed her knee under the steering wheel as a result of the impact. Defendant admitted liability and the case proceeded on the issues of proximate cause and damages. Plaintiff alleged that she suffered chondromalacia in her patella which left her unable to climb stairs and a thigh injury which permanently destroyed muscle tissue as a direct result of the collision. Defendant contended that Plaintiff's injuries were pre-existing. Plaintiff claimed \$3,000 in past medical specials and \$150,000 in past and future wage loss. <i>Susan Dibling v. Timberline Transport, No. 972043, March 2000.</i>
Hamilton	2000	\$65,650,000	Plaintiff was operating his vehicle on I-275 when he was involved in a multiple vehicle collision with 3 Defendants. One of the Defendants settled with Plaintiff for \$506,000 prior to trial and 2 other

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			Defendants settled for a confidential amount. The trial continued against one Defendant driver and the Bureau of Workers' Compensation. Plaintiff alleged she suffered significant permanent injuries as a direct result of the collision, including paralysis below mid-chest, 3 fractured ribs, wrist fracture, 3 fractured vertebrae, and back requiring surgery and resulting in permanent scarring on back and chest and 100% disability in legs, bowel, and bladder Plaintiff claimed \$1, 710,500 in medicals and \$4,150,000 in wage loss. Plaintiff's wife and 2 minor children loss of consortium and loss of companionship. <i>Keith Theobald, et al. v. Shouse, et al., No. A-9900617, February 2000.</i>
Warren	2000	Defense Verdict	Plaintiff was operating her vehicle with her daughter as her passenger. They were stopped at a traffic signal when Defendant rear-ended their vehicle. Defendant had been stopped behind Plaintiff's vehicle and his foot slipped off the brake pedal and his truck rolled into the back of Plaintiff's vehicle. Defendant admitted negligence and the trial proceeded on the issue of proximate cause and damages. Plaintiffs claimed the impact of the collision was severe enough to cause soft tissue neck and upper back injuries to Plaintiff driver and soft tissue low back injuries to Plaintiff daughter. Defendant contended that the impact was so slight that Plaintiffs could not have sustained any injury from the collision and that Plaintiffs had a history of prior complaints. Plaintiffs claimed \$6,648 in past medical specials. <i>Cynthia Moore, et al. v. James Byrd, No. 99CV55854.</i>
Shelby	2000	\$48,211	Plaintiff was operating her vehicle in a WalMart parking lot in a marked aisle way for driving. She was involved in a collision with a heavy-duty tow truck owned by Defendant, who was crossing the lot by cutting across empty parking spaces. The collision occurred after dark. Plaintiff alleged that Defendant was operating his vehicle without headlights and under

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			the influence of alcohol. Plaintiff claimed she sustained soft tissue neck injuries and contusions as a result of the accident. Defendant contended that since the parties were operating their vehicles in a private parking lot, there was no "right-of-way" and that Plaintiff had a duty to watch out for and yield to other vehicles in the lot. Further, Plaintiff was engaging in over treatment of her injuries. Plaintiff claimed \$6,514 in past medical specials and \$697 in past wage loss. Plaintiff's husband claimed loss of consortium. <i>Donna Winals, et al. v. Rose Amoco Service Station, et al., No. 99-CV-147, February 2000.</i>
Cuyahoga	2000	Defense Verdict	Plaintiff was in the curb lane in her vehicle when she was allegedly struck by a semi-tractor trailer owned by Defendant supermarket. The truck struck the driver's side door of Plaintiff's vehicle while passing by on a city street. Plaintiff's vehicle was pushed into the rear of another vehicle in the curb lane. The truck driver left the scene of the accident so Plaintiff's uninsured motorist's carrier was made a party. Plaintiff claimed she suffered significant injuries as a direct result of the collision. Defendant contended that none of its trucks were in the area at the time of collision. Plaintiff claimed \$30,000 in past medical specials. <i>Clairretta Jones v. First National Supermarkets, et al., No. 382149, February 2000.</i>
Lucas	2000	\$25,882	The parties in this case were both semi-tractor trailer truck drivers and were involved in a collision at a truck stop along I-75 in Findlay, OH. Plaintiff had parked his truck and Defendant attempted to pull in beside the Plaintiff. The front edge of Defendant's trailer hit the rear of Plaintiff's trailer, jolting him. Plaintiff alleged that he suffered soft tissue neck and back injuries in the accident. Defendant admitted negligence; however, he argued that Plaintiff was not injured from the slight impact. Plaintiff was off work for 6 weeks. He sought \$2,500 in medicals and \$6,000 in lost wages, plus pain

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			and suffering. <i>Roy Boulay v. Charles Campbell, II, No. 98-CV-7762, January 2000.</i>
Warren	2000	Defense Verdict	Plaintiff was proceeding eastbound in his vehicle when Defendant tractor-trailer driver attempted to exit an interstate ramp where there was a stop sign. As Defendant attempted to turn left from the ramp and head east, Plaintiff collided with the wheels on the tractor of the truck. The case was tried on the issue of liability only. Plaintiff alleged that Defendant failed to yield the right-of-way to Plaintiff. Defendant contended that Plaintiff forfeited his right-of-way by driving without his headlights, being intoxicated, and speeding. <i>Mike Presta v. Precision Strip Transport, Inc., No. 98-CV-55457, January 2000.</i>
Columbiana	2000	\$3,174	Plaintiff was operating his vehicle northbound on St. Clair Ave. with a passenger. Defendant was operating a tow truck pulled from a private driveway onto St. Clair Ave. and collided with Plaintiff's vehicle. Plaintiffs alleged that they each suffered significant injuries. Defendant contended that Plaintiff was operating his vehicle without headlights in the dark and he could not see the vehicle. Plaintiff driver claimed \$21,000 in past medical specials. Plaintiff passenger claimed \$7,700 in past medical specials. <i>Frank Kertesz, Jr., et al. v. Thurmond Rambo, No. 99CV73, January 2000.</i>
Butler	2000	\$575,211	Plaintiff's vehicle was side swiped when another vehicle lost control and cross the centerline. Plaintiff's vehicle was forced off the road and into a tractor. Plaintiff settled with the tortfeasor's carrier for \$95,000 and pursued her claim with Defendant, who was uninsured motorist carrier. Plaintiff alleged that she suffered low back strain, which resulted in continuing pain and depression and that she was unable to continue her work as a nursing instructor due to her

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			injuries. Defendant contended that Plaintiff had recovered from her injuries and that she was adequately compensated by her settlement with the tortfeasor. Plaintiff claimed \$36,267 in past medicals, \$35,000 in future medicals, \$122,550 in past wage loss, and \$300,000 in future wage loss. <i>Jan Bergen, et al. v Motorists Mutual Insurance Company, No. CV98-09-1493, January 2000.</i>