

APRIL 2007

KING COUNTY

v.

Number: 06-2-26835-1SEA

Arbitration Date: 3/9/07

Plff Atty: Scott M. Donaldson (Kenmore)
Def. Atty: Rick Roberts, Law Offices of Sharon J. Bitcon
(Seattle)

Insurance Co.: The Hartford

Plff Med.: Barbara Mendrey MD (Family Practice) Kenmore; Suzanne
Shay DC (Chiropractor) Bothell, both by report
Def. Med.: Daniel Brzusek DO (Physiatrist-by records review)
Bellevue

Arbitrator: Andrew Benjamin

**FAILURE TO YIELD RIGHT-OF-WAY--*ADMITTED LIABILITY
SHOULDER & NECK INJURIES**

7/11/04 Plff contended the Def. pulled his vehicle out from a
stop sign without yielding, causing Plff to "t-bone" Def's vehicle.

Injuries: Neck and shoulder injuries. Plff fell off her bicycle
on 2/4/05. The arbitrator found that all of Plff's
medical specials incurred prior to that date were
reasonable and necessary. No permanency; Plff treated
approx. 2 years.

Specials: Med. \$15,766; Lost Wages - none; Prop. Damage \$3,590;
General Damages \$680 (loss of use).

Settlement: Demand: none. Offer: \$15,001 (prior offer during
litigation was \$12,844).

Award: PLAINTIFF AWARD for \$24,241. (The award included \$11,593
in medicals and \$12,648 in general damages. *Admitted
Liability - Def. admitted liability at arbitration. During
litigation, Def. had argued 15% comparative fault.)

