

DECEMBER 1993

KING COUNTY

V.

Number: 92-2-29437-1

Date of Arbitration: 10/15/93

Plff Atty: Scott M. Donaldson (Seattle)

Def. Atty: Andrew W. Torrance of Lundberg, Kristof, Klug & Torrance
(Seattle)

Piff Med.: Stuart M. Weinstein MD (Physical/Rehabilitative
Medicine-by report); UW Physicians, many by report, all
Seattle

Def. Med.: Irving Tobin MD (Orthopedist-by report) Seattle

Arbitrator: Thomas R. Merrick

FAILURE TO YIELD RIGHT-OF-WAY

NECK & BACK INJURIES

4/23/90 - Plff was northbound on 37th Northwest in residential
Ballard; Def. cab driver was eastbound on Northwest 67th. Piff
contended they met in an uncontrolled intersection, and Plff's
car "T-boned" Def. cab. Liability disputed.

Injuries: Neck and low back injury. Although MRI 7 days post-
accident was normal, another 3 years post-accident MRI showed
bulging disc at L5-S1 not affecting the nerve roots. Pre-
existing low back pain asymptomatic for 2 years pre-accident;
causation disputed.

Specials: Med. \$9,798 (disputed).

Settlement: Demand: \$27,500 new money. Offer: \$24,000 less
WIGA setoff \$2,186 = \$21,816 net.

AWARD: PLAINTIFF AWARD for \$27,612. (Arbitrator awarded
\$20,000 plus \$7,612 medicals after setoff. No trial de novo
requested.)