

BIANCA BERTIN-MAURICE vs. EARNEST DANIELS

Docket No.: 04-8409 CA 22; FJVR Reference No. 05:12-24

Verdict Date: **September** 28, 2005; Publication Date: **December** 2005

**TOPIC:** Defense Verdicts - Motor Vehicle Accident - Running Red Light

**RESULT:** For the Defendant. (verdict)

**STATE:** Florida

**COUNTY:** Miami-Dade

**JUDGE:** Roberto Pineiro

**PLAINTIFF PROFILE:** Age: 24  
Sex: Female  
Occupation: YMCA Accountant

**PLAINTIFF ATTORNEY:** William C. Ruggiero, Ft. Lauderdale

**DEFENDANT ATTORNEY:** Daniel J. **Santaniello** and Angelina C. Capece of **Luks, Santaniello**, et al., Ft. Lauderdale

**CAUSE OF INJURY:** On June 17, 2004, Plaintiff was traveling west through the green traffic light at the intersection of N.W. 6th Street and N.W. 2nd Avenue in Miami, when her vehicle was struck by Defendant's vehicle. Plaintiff alleged that Defendant was the sole cause of this accident through his negligence by entering the intersection against a red light for his direction of travel. Defendant alleged through his testimony and that of Plaintiff's son, Marlon Adker, a passenger in Defendant's vehicle, that Plaintiff was the single cause of this accident as she proceeded through the red traffic light.

**NATURE OF INJURY:** Injuries to lower back, left shoulder, and neck; broad-based posterior bulge at intervertebral disc and C5-C6.

**PLAINTIFF EXPERT WITNESSES:** Lawrence Blumberg, M.D., Orthopedic Surgery, Hollywood

**DEFENDANT EXPERT WITNESSES:** Salvador Ramirez, M.D., Orthopedic Surgery, Miami

**DEFENDANT'S ATTORNEY'S COMMENTS:** The jury found that Defendant did not cause Plaintiff's injuries. Plaintiff demanded \$ 16,000 in prior medical bills and approximately \$ 150,000 in future medical care (\$ 3,000 per year for life). Defendant served a Proposal for Settlement for \$ 1,001 on September 27, 2004; Plaintiff served a Proposal for Settlement for \$ 10,000 on December 3, 2004.