



Case:

Gulino v. Anderson

Practice Area:

[Trucking Liability](#)

Attorney(s):

[Daniel J. Santaniello](#)

Result:

\$750,000 sought, only \$6 awarded

In *Gulino v. Anderson*, Dan Santaniello received a favorable result in a 1 week trial. Plaintiffs vehicle collided with over turned tractor trailer on I-95 Northbound . Plaintiff asked jury for over \$340K. Jury found Plaintiff 95% comparative negligence and Defendant 5%. Defendant Anderson was driving his tractor trailer Northbound on I-95 when he claimed that his rig was pushed off the road by a strong wind. Defendant over corrected and rolled his tractor trailer onto I-95 blocking both north bound lanes. The only part of the tractor trailer visible to oncoming traffic was the undercarriage of the truck.

There were no lights or reflective tape visible on the undercarriage. Further, there were no street lights in the area and only 1% of moon light that night. Plaintiff testified the conditions were very dark. Plaintiff also produced testimony from his liability expert and weather reports from that night showing that there was only a 9 mph wind and no gusts. Defendant Anderson originally said that a front steer tire blew causing the roll over, but later changed his description of the event blaming his loss of control on the wind. The plaintiff was driving the speed limit at 55 mph when he saw the over turned tractor trailer. Due to the dark conditions and the unexpected obstruction in the middle of the highway, Plaintiff slammed on his brakes but collided with the truck totaling his vehicle. Plaintiff complained of immediate onset of neck and back pain. Cervical MRI confirmed bulging discs from C3 through T3 causing extradural defects upon the thecal sac. The cervical MRI also confirmed a loss of the lordotic curve consistent with acute muscle spasm as a product from the spine injury. Lumbar MRI demonstrated two herniated discs at L4/L5 and L5/S1. Plaintiff incurred over \$40,000.00 in past medical care related to this accident. Plaintiff's treating doctors, including his physiatrist Dr. Amadeo, testified Plaintiff will incur over \$300,000.00 in future care over his lifetime to address his spine injuries from the accident.