

Plaintiff v. Timothy Tredwell**Defense Verdict****LUKS, SANTANIELLO**
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Plaintiff Counsel: Morgan & Morgan (W. Colby Roof)

MVA; Admitted negligence Sumter County; Morgan & Morgan; 48-year old with Cervical fusion; \$2.28M sought; \$26,000 awarded; no permanency, no futures, and no pain and suffering.

On February 17, 2023, Senior Partner Juan A. Ruiz, Esq., and Junior Partner Christine N. Garagno, Esq., obtained a defense verdict in Sumter County in a motor vehicle negligence matter styled *Plaintiff v. Timothy Tredwell*. Plaintiff filed suit against Defendant, Timothy Tredwell, as a result of alleged injuries she sustained in a motor vehicle accident on August 16, 2016. Plaintiff specifically claimed that Defendant was negligent by backing into her vehicle causing injuries to her back, right shoulder, and neck, resulting in a cervical fusion. Plaintiff had a prior accident in 2008 resulting in injuries, but denied any ongoing issue since 2011 and denied any prior right shoulder issues. Plaintiff presented her surgeon, expert life care planner, and expert radiologist at trial who all testified her injuries were permanent, future treatment was necessary, and all treatment and injuries sustained were caused by the 2016 accident.

Defendant admitted negligence. The defense argued that the low impact accident did not cause the alleged injuries. but rather, the 2008 accident did; and as such, all treatment was unrelated to the 2016 accident. Defense expert radiologist and compulsory medical examination doctor testified that the Plaintiff's pre-existing injuries continued to worsen as result of the 2008 accident, and was the cause of her treatment. Defense biomechanical expert also testified the impact from the 2016 accident could not have caused Plaintiff's alleged injuries.

Plaintiff asked the Jury to award the Plaintiff \$2.28 million for her past medicals of over \$196,000, future medicals of over \$401,000, and past and future pain and suffering of over \$1.68 million. The defense asked the jury to give the Plaintiff the benefit of the doubt and award her \$26,000 for the costs of her initial emergency room visit to get checked out. The jury agreed with the defense and returned a defense verdict of \$26,000 with no permanency, no futures, and no pain and suffering.