

# Pima County Superior Court Jury Trials

THE TRIAL REPORTER of Southern Arizona

September 30, 1998

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9/17/98 - Judge MICHAEL D. ALFRED -  
CV 319084 - MOLINA (John G. Kuhnlein, a  
sole practitioner) v WILDERMUTH nee  
EIDENSCHNIK (David L. Curl of William B.  
Blaser & Associates) - PERSONAL INJURY -  
INTERSECTION - CONTROLLED - TRAFFIC  
SIGNAL. Pntf, female, age 34, employed as  
a caregiver for the elderly, alleged she was  
proceeding north on Stone Avenue, entering  
Sixth Street, when oncoming Dfnt executed a left  
turn into the side of Pntf's vehicle. Pntf  
alleged her light was green. Dfnt, female, age  
53, testified she did not remember the color of  
the light at the time of her turn. Dfnt called  
Robert L. Bleyl, Ph.D., P.E., a traffic engineer,  
who testified the intersection should have had a  
left-turn arrow and City of Tucson was non-  
party at fault. Pntf sustained cervical, thoracic,  
and lumbar strains and sprains and has head-  
aches. Pntf called William "Jack" Ledbetter,  
D.C., who testified that her chiropractic care  
was reasonable and necessary. Dfnt argued  
Pntf's emergency room records contained an  
admission that Pntf ran the red light, and Pntf  
changed her story later. Prayer: Just and  
reasonable compensatory damages; plus \$6,500  
medical expenses. Pntf made a pretrial demand  
of \$45,000 - Dfnt made an \$18,000 offer of  
judgment (D). (Carrier: State Farm Insurance.)  
During closing arguments, Pntf's counsel  
suggested a range of \$35,000 to \$50,000.  
Defense counsel argued liability and suggested  
\$5,000 to \$8,500, if jury believed Dfnt was  
liable. Two day trial. Jury out two hours.  
FOUND FOR DENT. UNANIMOUSLY.

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