
Settled Before Trial

THE TRIAL REPORTER September, 2010

9/14/10 - Judge CARMINE CORNELIO - CV 2008-6864 - POULIN (Andrew R. Klausner of Jarvis & Krieger of Long Beach, California) v STUVE (Douglas W. Glasson of Barassi, Curl & Abraham, P.L.C.) - PERSONAL INJURY - PEDESTRIAN/AUTO MISHAP. Plntf, male, age 43, a tree trimmer and cactus salvager, alleged that, while walking back to his residence, after collecting the mail from his mailbox, he was struck by Dfnt, who was operating a 1987 Chevrolet Suburban, pulling a trailer full of yard debris, cactus, and tree clippings. Plntf also alleged Dfnt's vehicle struck his shoulder and elbow, and, as he was spun away, the driver's side rearview mirror struck the right side of his head. Dfnt, male, age 47, a disabled machinist, denied liability, advancing the defense that, as he pulled from his driveway, next door to Plntf's residence, travelling five to seven miles-per-hour, Plntf stepped out from behind some brush near his mailbox and approached Dfnt's vehicle, then slapped the hood of the truck with the palms of his hands. Dfnt alleged Plntf then spun around and approached the driver's side window and struck the side view mirror, then reached in and attempted to grab Dfnt, scratching Dfnt on the left arm. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; a closed head injury; plus injuries to the shoulder, elbow, and groin. Plntf planned to call his treating physicians. Prayer: Just and reasonable compensatory damages; plus \$23,785.55 medical expenses. Plntf made a pretrial demand of \$25,000 - Dfnt made a \$500 offer of judgment (D). (Carrier: State Farm Insurance. MATTER SETTLED BEFORE TRIAL FOR ZERO DOLLARS, WITH A JOINT DISMISSAL; EACH SIDE TO BEAR ITS OWN COSTS AND FEES.

