
11/14/08 - Judge LESLIE B. MILLER -
CV 2007-4051 - DIETZ (Michelle E. Lespron of
Pincus & Lespron, P.L.C.) v AUBURN
(Douglas W. Glasson of Barassi, Curl &
Abraham, P.L.C.) - PERSONAL INJURY -
REAREND. Case being tried as a one-day
summary jury trial. Plntf, female, a special
education instructor, alleged she was rear-ended
by Dfnt. Dfnt, female, admitted negligence, but
argued damages. Plntf alleged she sustained
cervical, thoracic, and lumbar soft tissue injuries;
plus an injury to the shoulder. Plntf called
Scott G. Stratmann, D.C., who was of the
opinion that, based upon review of Plntf's
physical therapist's opinion, orthopedic
physician's opinion, and pain management
specialist's opinion, Plntf's chiropractic treatment
was reasonable and causally related. Dfnt called
Colin R. Bamford, M.D., a neurologist, who
was of the opinion that Plntf's complaints should

have resolved with stretching and strengthening exercises. Prayer: Just and reasonable compensatory damages; plus \$47,866.64 medical expenses. Plntf made a pretrial demand of \$100,000 - Dfnt offered \$20,000 (P). (Carrier: State Farm Insurance.) During closing arguments, Plntf's counsel argued Plntf has ongoing complaints and was unable to participate in the Tour de Tucson as planned. Plntf's counsel asked jury to award Plntf \$155,889.20. Defense counsel argued Plntf was overtreated, and suggested \$20,000 was reasonable compensation. One day trial. Jury out ? hours. AWARDED PLNTF \$80,000 COMPENSATORY DAMAGES. UNANIMOUSLY.
