

# VIRGINIA LAWYERS WEEKLY

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## VERDICTS & SETTLEMENTS

### Settlement negotiated for injured Patriot Guard rider

#### \$1,247,144 Settlement

Plaintiff, a 63-year-old Portsmouth resident and member of the Patriot Guard Motorcycle Association, was on a mission to attend a funeral for a fallen veteran when the defendant, driving an F-250 Ford pickup truck, crossed the double yellow lines and struck the left front of the plaintiff's Harley Davidson.

Plaintiff was admitted to the hospital with the following diagnosis: multiple left rib fractures; left grade two renal laceration; left adrenal hematoma; left colonic hematoma; small left retroperi-toneal hematoma; left closed distal severely comminuted femur fracture; right elbow fracture dislocation; right distal radius fracture; left 2nd metatarsal



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fracture and 3rd and 4th proximal phalanx fractures; left distal phalanx fracture of the great toe; non-insulin dependent diabetes; hemorrhagic shock; and renal insufficiency.

Plaintiff was treated from Dec. 20, 2011, until November 2012. Medical specials totaled \$201,188.52, together with a life care plan of \$116,759.87. Plaintiff has recovered with some disabilities and returned to part-time work.

The case resolved via negotiated settlement.

[13-T-095]

**Type of action:** Personal injury – truck/motorcycle collision

**Injuries alleged:** Numerous orthopedic injuries; multiple hematomas; renal laceration; non-insulin dependent diabetes; hemorrhagic shock; renal insufficiency

**Name of case:** O'Brien vs. Townsend

**Special damages:** \$317,948.39

**Initial offer:** None

**Date resolved:** May 1, 2013

**Verdict or Settlement:** Settlement

**Amount:** \$1,247,144

**Insurance carrier:** Amica Insurance Co.

**Plaintiff's attorneys:** Bennett & Zydron, P.C. Virginia Beach, VA