

Verdicts & Settlements

Woman hurt in collision 20 years ago is struck again

Diagnosed with second traumatic brain injury

\$1.2 million arbitration award

The plaintiff, 65, was crossing the street when she was hit lightly by a vehicle backing into a parking space. She was knocked to the ground and sustained a closed head injury as well as a fractured wrist.

The plaintiff had suffered a traumatic brain injury in a car collision 20 years prior to the subject accident. That injury resulted in permanent and total disability due to cognitive deficits. She had since managed to return to some of her normal activities.

For several months after the second accident, the plaintiff sought care, treatment and therapy with multiple providers in various disciplines, including therapists, neurologists and



Frank Federico

neuropsychologists. She was diagnosed with another TBI. Plaintiff's counsel confirmed the diagnosis with neuropsychological testing, DTI/MRI and qEEG.

The defendant argued that the plaintiff's neurological "complaints" mirrored those documented after her first accident, and the defendant's neuropsychologist suggested that the plaintiff had not suffered



Don Grady

any appreciable alteration or deterioration in symptomology due to the second accident.

Defense counsel also challenged liability, claiming the woman had not properly looked before crossing the street.

Action: Motor vehicle negligence

Injuries alleged: Traumatic brain injury



Doug Sheff

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (arbitrated)

Amount: \$1.2 million

Date: January 2016

Attorneys: Douglas K. Sheff, Donald R. Grady Jr. and Frank J. Federico Jr., of Sheff Law Offices, Boston (for the plaintiff)