

## Motor Vehicle Negligence

### Stop-And-Go Traffic Collision -- Brain Injury

**Published:** September 6, 1999

**Injuries alleged:**

Mild traumatic brain injury, cervical disc protrusion and shoulder injury

**Name of case:**

Withheld

**Court/case #:**

Withheld

**Tried before judge or jury:**

N/A (settled)

**Amount of settlement:**

\$730,000

**Attorneys for plaintiff:**

Douglas K. Sheff and Gregory T. Smith, Sheff Law Offices, Boston

**Attorneys for defendant:**

Withheld

**Other useful information:**

The plaintiff was involved in a motor vehicle accident on March 5, 1995. The plaintiff was wearing a seatbelt and was stopped in traffic on Route 93 northbound when his vehicle was struck by the defendant's vehicle.

The defendant contended that he was not negligent in the accident, as the vehicle's brakes failed to work properly.

Following the accident the plaintiff underwent shoulder surgery. He also underwent an MRI which revealed a disc protrusion.

Two years after the accident, the plaintiff's neurologist referred the plaintiff to a psychologist for treatment of depression. At that time, the plaintiff's family observed changes in the plaintiff's behavior and memory.

The plaintiff's counsel consulted with a treating neurologist and psychologist, and interviewed family and friends while investigating post-accident cognitive and behavioral changes. Witnesses testified that there were changes in the plaintiff's behavior and cognitive abilities.

The plaintiff's counsel argued that, during the accident, the plaintiff had struck the left side of his head

against the driver's side window. The plaintiff's expert neuropsychologist concluded that the plaintiff had sustained cognitive impairments as a result of striking his head.

The plaintiff's case was complicated by his attendance and excellent grades in graduate school following the accident. The plaintiff had also suffered a prior closed head injury.

### **Detailed Information**

Date of Verdict or Settlement 17-Jun-10