

Missouri Lawyers

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WEEKLY

Settlement reached over personal injury claim

Parties reach \$2.45M agreement before trial



Brian Timothy Meyers

A woman has reached a \$2.45 million settlement in her case against a commercial vehicle operator that injured her in a car accident.

In August 2005, the woman, 54 at the time, was driving in Clay County. A truck working as a commercial vehicle ran a red light and was broadsided by the plaintiff.

The woman's wrist and ankle were fractured in the accident. She had to have surgery that required the placement of plates and screws into her wrist and ankle at The University of Kansas Hospital.

Although the surgery was successful in fixing the plaintiff's wrist, it did not successfully correct the problems in her ankle. The ankle did not heal properly, and she was in constant pain. So in 2007 she had to undergo another surgery to fuse her ankle. This surgery helped reduce pain. But while in the hospital recuperating from the surgery, the plaintiff contracted a methicillin-resistant Staphylococcus aureus infection, so she had to undergo another surgery to ensure that the ankle fusion was a success.

In total, the plaintiff had three surgeries and her medical bills amounted to

more than \$300,000.

Although the accident happened in Clay County, it happened pre-tort reform, so the plaintiff filed her lawsuit in Jackson County.

The case was first mediated in November 2007. The defense offered the plaintiff \$1 million, the amount of the defendant's policy limits. There was also a \$5 million excess policy on the truck. The parties again mediated the case in 2008, and the defense offered \$2.2 million. The case was eventually settled just before trial for \$2.45 million.

Plaintiff's attorney Brian Timothy Meyers, of The Law Office of Brian Timothy Meyers, said the main issues raised during mediation were his client's injuries.

"We looked at her quality of life, pain and suffering," he said. "It was a bad injury. She's using a cane and will have to for the rest of her life. She's still in pain and now her mobility is limited. And she's dealing with arthritis."

— Angela Riley

■ \$2.45 million settlement

PERSONAL INJURY

■ **Court:** Jackson County Circuit Court

■ **Case Number/Date:** Confidential

■ **Insurer:** Confidential

■ **Special Damages:** more than \$300,000 in medical bills

■ **Plaintiff Experts:** two orthopedic surgeons, a life care planner and an economist

■ **Caption:** Jane Doe et al. v. Confidential Commercial Vehicle

■ **Plaintiff's Attorney:** Brian Timothy Meyers, The Law Office of Brian Timothy Meyers, Kansas City

■ **Defendant's Attorney:** Confidential