

Chartwell Attorney Pat Heffron Defeats Claim for \$6 Million in Damages

Jury rejects claim that truck accident resulted in vast injuries and multiple surgeries

Plaintiff's car was hit from behind by a delivery truck contracted by a large national delivery company. She asserted that the accident case numerous disc herniations, pain throughout virtually her entire body, disability, cognitive impairment, Post Traumatic Stress Disorder, depression, brain injury, and other neurological and physical impairments. She underwent numerous surgical procedures, some of which caused serious side effects, including incontinence. Ultimately, two sets of spinal cord stimulators were installed in the back to address her pain. Plaintiff offered testimony from doctors, life care planners, vocational experts, and economists, and made a settlement demand of \$6,000,000.

The entire case focused on the plaintiff's injuries and whether her dramatic impairment was the result of the accident. There was no dispute as to liability.

Mr. Heffron left no stone unturned regarding the plaintiff's pre-accident history. Before the accident at issue, plaintiff had been in other accidents, and had undergone back surgery and other extensive treatment for pain. Although plaintiff paraded over a dozen medical and other experts to the witness stand attesting to the most recent accident as the cause of plaintiff's problems, Pat was able to identify inconsistencies between the testimony of plaintiff's experts and highlighted for the jury why so many of them failed to fully appreciate the extent and magnitude of plaintiff's pre-accident impairments and disorders.

During his opening statement to the jury, Mr. Heffron promised to sort out the complicated medical facts of the case and the plaintiff's problems, both before and after the subject accident. He methodically delivered on his promise, and the jury agreed that despite the volume of witnesses presented, plaintiff failed to prove that the plethora of serious problems she experienced were related to the accident. The jury awarded only out-of-pocket medical expenses and a token pain and suffering award. The total verdict was less than 1% of the plaintiff's settlement demand and a small fraction of the amount the defendant offered to the plaintiff for settlement.

When liability is not at issue, there is always a serious risk that a jury will simply award plaintiff as much as is substantiated by her experts. Mr. Heffron did an exceptional job of moving the jury through the piles of medical records and facts and distinguishing them from the plaintiff's experts' conjecture and suppositions. The case was tried over a period of one week in Bucks County, Pennsylvania.

Chartwell is proud to represent major trucking, delivery and logistics companies in accident litigation through the eastern United States.

For more information, please contact Mr. Heffron at pheffron@chartwelllaw.com.