

Corrie Johnson v. Gennice Carter, Superior Court for the District of Columbia

Corrie Johnson, a U.S. Postal Service mail carrier, was delivering mail in Laurel, Maryland on August 5, 2000. She began to make a left turn from the main roadway onto a side street, when she was broadsided by a vehicle that had crossed the double yellow line while traveling behind her in the same direction. The collision knocked the mail truck onto its side, leaving approximately thirty feet of pre-impact skid marks. Both drivers were transported to the hospital by ambulance. Although the investigating Prince George's County police officer attributed the cause of the accident to the defendant, no citation was issued.

The defendant, who had been accompanied by her twenty-seven year-old-daughter seated in the passenger seat, claimed that the accident was entirely the fault of the plaintiff, who the defendant and her daughter claimed had made a sudden, unlawful U-turn directly in front of defendant's vehicle. The only independent witness lived in New Jersey and attributed the cause of the collision to both parties. She recounted a version of events which differed from both the plaintiff's and defendant's descriptions. However, neither party called her at trial.

The plaintiff underwent treatment for soft tissue injuries, which persisted for two years due to exacerbation from her attempts to continue performing her job as a mail carrier. She claimed medical expenses of \$7,735., and substantial lost wages.

Verdict: \$50,000.00.

Plaintiff's Experts:

Andrew J. Seikanowicz, M.D., Silver Spring, MD (Orthopaedic Surgery).

Plaintiff's Counsel:

TLA-DC member Douglas R. Sparks.

Defendant's Experts:

Robert O. Gordon, M.D., Washington, DC (Orthopaedic Surgery).

Defendant's Counsel: Jeffrey Seal.

Special Remarks:

Plaintiff offered to settle the case pre-suit for \$15,000. Allstate made no offer. After suit was filed, plaintiff's demand was raised to \$25,000. Allstate continued to make no offer.

Allstate used Dr. Robert Gordon as its "independent" medical expert. Dr. Gordon opined that plaintiff's injuries were very minor and had resolved within a few weeks. Following his de bene esse video deposition, during which he essentially admitted billing at least \$2.5 million in defense-related personal injury work since 1990, Allstate suggested trying the case solely on liability.

Although no offer was ever made, Allstate agreed on a stipulated verdict amount of \$50,000, should plaintiff prevail on liability at trial, in exchange for plaintiff's agreement to try the case solely on liability and to not seek damages in excess of policy limits. Following a one-day trial and a jury verdict in plaintiff's favor, the Court entered judgment for plaintiff in the amount of \$50,000.00, which Allstate paid, in addition to plaintiff's expenses.