

## **Deadly Rear-Enders Caused by Blinding Sun Results in Settlement- Metro Verdicts Monthly - October 2004**

**Case Caption:** Patricia Ferrufino. Individually and as Executrix of the Estate of Dennis Jezierski v. Guy Hahs

**Settlement:** \$490,000

**Judge:** Stanley Paul Klein

**Settlement Date:** 10/2004

**Attorneys:**

**Plaintiff:** Steven VanGrack, Rockville

**Defendant:** Julia B. Judkins. Fairfax

**Facts:** The estate of a man who died after his vehicle was pushed into oncoming traffic by another vehicle agreed to a settlement of \$490,000. The driver of the other vehicle was reportedly blinded by sunlight and did not see decedent's vehicle stopped ahead of him in the roadway.

Plaintiff's decedent, Dennis Jezierski was a 60 year old male. He was traveling in his vehicle in the left lane of Route 50 in Arlington when he was rear-ended by a vehicle driven by Defendant Guy Hahs. The angle of the impact pushed decedent's car across the median where it collided with oncoming traffic. Decedent was severely injured and died of a pulmonary embolism two days later while hospitalized for his injuries. Defendants Hahs pled guilty to a traffic offense and the parties reached a settlement prior to trial.

Plaintiff alleged that defendant's negligence caused the untimely and wrongful death of her husband.

Defendant Hahs contended that he was blinded by the sun as he drove around a sweeping right curve. He admitted liability for the accident.

**Plaintiff Profile:** Plaintiff's decedent was a 60 year old married white male who worked as a consultant. He was survived by his wife and an adult child.

**Alleged Injury:** Multiple severe injuries, including pelvic and acetabular fractures, which required hospitalization. After two days in the hospital, decedent suffered a pulmonary embolism and died. An expert economist valued the damage as \$538,844.

**Insurance Carrier:** USAA

**Expert(s):**

**Plaintiff:** Richard J. Lurito, Ph.D.

Economist McLean, VA

**Defendent:** N/A

**Case Number:** 221037

**Editor's Note:** Plaintiff and defendant were both injured by the same carrier. Defendant has policy limits of only \$50,000. The remainder of the settlement came from plaintiff's underinsured motorist coverage with the same carrier.