

Roy Watts v. Melvn Wilkins - *Metro Verdicts Monthly* - December 2004

Case Caption:

Roy Watts v. Melvin Wilkins

Settlement: \$150,000

Judge: N/A

Settlement Date: 12/2004

Attorneys:

Plaintiff: Steven VanGrack, Rockville

Defendant: None

Facts: A man who attributed a heart attack to soft tissue injuries he sustained in a motor vehicle accident agreed to a pre-suit settlement of \$150,000.

Plaintiff Roy Watts was operating a Ford F250 pickup truck west on Monocacy Boulevard in Frederick. Defendant Melvin Wilkins was operating a Chevrolet pickup east on Monocacy Boulevard. Defendant attempted to make a left turn onto I-70 in front of plaintiff's oncoming vehicle, resulting in a collision. Plaintiff struck the passenger side of defendant's pickup truck.

Plaintiff alleged that defendant failed to yield the right-of-way to oncoming traffic. He claimed that the impact resulted in significant neck and back injuries and may have contributed to a heart attack he suffered during his recovery.

Defendant admitted liability for the collision and settled this claim prior to the filing of a lawsuit.

Plaintiff Profile: Plaintiff was a 55 year old single male who was a self-employed concrete mason.

Alleged Injury: Herniated cervical discs at C5-C6 and C6-C7 requiring fusion surgery. Plaintiff suffered a heart attack during his recovery, which he attributed to this accident. He claimed approximately \$15,000 in lost wages and \$70,000 in past medical expenses.

Insurance Carrier: The Hartford Southeast

Expert(s):

Plaintiff: None

Defendant: None

Case Number: None

Editor's Notes: This case was settled prior to the filing of a lawsuit.

MAJ Verdicts & Settlements Worksheet

All submissions of Verdicts & Settlements must utilize the following format. MAJ reserves the right to reject any submission. You must be a MAJ member to have a submission published.

** All items annotated must be completed*

TITLE:

* Case Caption: Ronald Kenneth Worley v. Yvonne Baker

* Court (Circuit or District)/Judge: None

CASE DESCRIPTION:

* Facts of case, including allegations of liability, defenses and injuries and damages:

At the time of the collision, RONALD KENNETH WORLEY was working as an Engineer Technician III - Fume Hood Supervisor for Facilities Management at the University of Maryland, College Park. On June 27, 2006, at approximately 12:35 p.m., RONALD KENNETH WORLEY and a coworker, Robert Ethan Allen, were traveling northbound on Route 1 near the Beltsville Commerce Center, in College Park, Maryland, in a University of Maryland (state owned) 2006 Chevrolet Silverado. Robert Allen was driving and RONALD KENNETH WORLEY was sitting in the front passenger seat. They were on their way to purchase safety glasses for work. At the same time and place, YVONNE BAKER was traveling southbound on Route 1. YVONNE BAKER failed to yield to oncoming traffic and made a left turn into the Beltsville Commerce Center, striking the vehicle in which the RONALD KENNETH WORLEY was traveling. When the vehicles collided it caused serious and personal injuries to RONALD KENNETH WORLEY.

Following the collision, RONALD KENNETH WORLEY experienced pain in his neck and upper back. He also experienced pain and numbness extending into his left upper extremity with occasional numbness extending into the right upper extremity. RONALD KENNETH WORLEY was diagnosed with cervical strain and underwent several months of physical therapy. To no avail, he underwent an orthopedic evaluation on March 12, 2007. The doctor recommended that RONALD KENNETH WORLEY undergo a cervical decompression at the C7-T1 region. On May 7, 2007, RONALD KENNETH WORLEY underwent surgery.

RONALD KENNETH WORLEY filed a worker's compensation claim as a result of his injuries from the automobile collision of June 27, 2006. On November 3, 2008, a hearing was held by the Worker's Compensation Commission and on November 5, 2008, the commission awarded Ronald Worley with a temporary total disability and a 25% permanent partial disability.

The University of Maryland did not have uninsured or underinsured motorist's coverage. The liability carrier, GEICO, offered the policy limits of \$25,000.00. However, RONALD KENNETH WORLEY's medical bills exceeded \$55,000.00. As such, a claim was filed under Ronald Worley's Underinsured Motorist Coverage benefit. The policy limits of the underinsured coverage was \$100,000.00.

EXPERT WITNESSES:

Please include area of expertise and expert's location.

*Expert Witnesses: None

CASE OUTCOME:

* Settlement Amount: \$100,000.00
Pre-suit: \$100,000.00
Post-suit: N/A

* Mediation: N/A
Name of Mediator:
Amount:

* Verdict:

***ADJUSTER/INSURANCE COMPANY:**

Liability Carrier -

Sandy Cole, Claims Adjuster
GEICO

UM/UIM Carrier -

Diane Moses
Progressive Direct Insurance Company

SPECIAL REMARKS:

Please comment on unique aspects of the case including discovery motions, evidentiary issues, etc.

***PLAINTIFF'S COUNSEL:**

Steven VanGrack

***DEFENSE COUNSEL:**

N/A