

**Case Description: PEDESTRIAN COLLISION**

**Plaintiff: Male**

**Defendant: Female**

**Alleged Injuries: Epidural hematoma, skull fracture, laceration above left eye**

**Settlement: \$100,000.00**

**FACTS OF CASE:**

Every evening, between 5:30 and 6:00 p.m., Rolf walked his dog on a two lane street located in Gaithersburg, Maryland. This road is a heavily trafficked and cars frequently speed. On the evening of November 7, 2012, at approximately 5:50 p.m., Rolf was walking his dog as usual. It was a dark, cold evening but the roads were dry. There are several crosswalks on this particular road, as the neighborhood is a residential/commercial mix. The crosswalks throughout this area have signs posted stating “STATE LAW STOP for PEDESTRIANS IN CROSSWALKS.”

As Rolf entered into one of the crosswalks, he walked past the median and continued to walk towards the opposite side of the street. Suddenly and without warning, the driver of a Toyota Camry crashed into him. The driver did not stop her vehicle. Rolf was dragged a short distance down the road, his dog still attached to the leash Rolf held in his hand. Once the driver stopped the car, Rolf’s body was thrown to the ground.

The Montgomery County Fire and Rescue Service Emergency Medical Technicians arrived at the scene and found Rolf lying on the ground. He complained of a headache and neck pain and was found to have a laceration above the right eye. Rolf was then transported to a local hospital where he was further evaluated. After a thorough examination, Rolf was diagnosed with a headache, epidural hematoma, and skull fracture. Once stabilized, Rolf was transferred to

another hospital in Washington, D.C. Rolf remained in the hospital for four days.

Due to his injuries, Rolf was unable to work. He used two weeks of his paid time off. He remained on leave without pay status until his doctors released him and authorized his return. As a result of the collision, Rolf sustained a hematoma on the left side of his head. He had difficulty hearing in his left ear; he suffered from back and leg injuries, a sprained ankle, and suffered from attention and concentration difficulties.

Liability was in question as the driver placed the full responsibility of the accident on Rolf. She claimed that Rolf was not in the crosswalk when he was struck. Fortunately, there were 2 eyewitnesses who stated that Rolf was in the crosswalk and that the driver of the automobile was entirely at fault.

The maximum amount of insurance coverage was offered in this case. Unfortunately, the amount of damages exceeded the policy limits of the driver's automobile insurance policy and a claim was made under Rolf's underinsured motorist policy.