

JVR No. 2301060014, 2022 WL 18213908 (Ariz.Super.) (Verdict and Settlement Summary)

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Superior Court of Arizona, Pima County.

SMITH v. SCOTT

C-2019-02796

DATE OF INCIDENT: June 23, 2018

DATE OF TRIAL/SETTLEMENT: October 25, 2022

TOPIC:

LIABILITY:

General: Rear-End Collision

Specific: Plaintiff in Front Vehicle-Intersection

**SUMMARY**

**Outcome: Plaintiff Verdict**

**Total: \$16,404**

**EXPERT-WITNESSES:**

Plaintiff:

Regenerative Medicine: Tait, Jonathan, M.D., Rejuv Medical Southwest, Tucson, AZ

TMJ Disorders: [Cueva Jr., Luis](#), D.D.S., Tucson, AZ

Defendant:

Orthopedic Surgeon: [Theiler, Anthony](#), M.D., TAC Consulting LLC, Phoenix, AZ

**ATTORNEY:**

Plaintiff:

[John P. Leader](#), The Leader Law Firm, Tucson, AZ

Defendant:

J. C. Patrascioiu, Curl, Glasson & Patrascioiu PLC, Tucson, AZ

JUDGE: [Gary J. Cohen](#)

RANGE AMOUNT: \$1 - 49,999

STATE: Arizona

COUNTY: Pima

**PRIMARY INJURY: TMJ**

Rotator Cuff; Cartilage; Shoulder; Multiple Strain

**SUMMARY**

**PLAINTIFF:**

Sex: F

Age: Adult, 46

General Occupation: Accountant

**DEFENDANT:**

Sex: F

Age: Adult

Organization Type: Scott

**DAMAGES:**

Compensatory Pain & Suffering: \$16,404

Total Compensatory Award: \$16,404

Claimed Past Medical: \$48,000

Final Demand: \$150,000

Final Offer: \$100,000

Claimed Past Wages: \$38,691

Comparative Negligence Percentage: 0

**FACTS:**

Plaintiff Georgina Smith, a 46-year-old accountant, reportedly was driving near an intersection and stopped at a red traffic light. She said defendant motorist Makayla Scott rear-ended her vehicle, pushing it into the intersection where it was struck by another vehicle.

The plaintiff reportedly suffered a permanent partial thickness rotator cuff injury to her right shoulder, a partially torn labrum of her left shoulder, permanent [temporomandibular joint disorders](#), cervicalgia, myofascial pain, a neck muscle strain, a thoracic strain, and a [lumbar strain](#).

The plaintiff asserted negligence, claiming the defendant did not realize the plaintiff's vehicle was stopped and failed to slow down in time to avoid the collision.

The plaintiff sought damages, including \$38,691 in lost wages and \$48,000 in medical bills.

The defendant admitted her negligence caused the accident. According to defense counsel, the plaintiff reported a small amount of pain at the scene and sought an award of \$400,000 to \$700,000. Counsel indicated that the defendant argued that about \$8,000 of the plaintiff's claimed medical expenses were reasonable and related to the accident.

Jury Verdict Research

COURT: Superior

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