

Jury Awards only \$3,945 when Asserted Medical Bills were \$75,000

Ronald Zurek (Senior Partner/Los Angeles Office) recently tried the case of Truong v Cheng, a motor vehicle accident case where his defendant client admitted some negligence for causing an accident that did not seem like a very serious one. However, one year after the accident the plaintiff had a back surgery, which brought his medical bills to about \$75,000, and he blamed the defendant for all of it. A plaintiff offer to settle the case for a limited insurance policy was turned down. On the theory that the plaintiff was not seriously injured and that he was perhaps partly at fault for the accident even though the defendant allegedly ran a stop sign in front of him, defendant offered him \$6,700, a sum he summarily rejected. Plaintiff's neurosurgeon at trial cost \$15,000 but he had trouble on cross-examination nevertheless. At the end of trial the jury awarded plaintiff \$3,945, the amount of one of his medical bills before surgery, and nothing else. The jury also felt he was partially at fault for the accident, thus his net recovery was only \$2,958.75.