

STANISLAUS COUNTY

MOTOR VEHICLE

Red Light — Intersection — Multiple Impact — Speeding

Pltf claimed many fractures in intersection crash with officer

MEDIATED SETTLEMENT \$675,000

CASE Justin White and Terra White v. Stanislaus County and City of Patterson, No. 623131

COURT Superior Court of Stanislaus County, Ceres, CA

JUDGE Roger Beauchesne

NEUTRAL(S) Daniel F Quinn

DATE 5/14/2009

PLAINTIFF ATTORNEY(S) Bradley R. Bowles, Bowles & Verna LLP, Walnut Creek, CA
Richard T. Bowles, Bowles & Verna LLP, Walnut Creek, CA

DEFENSE ATTORNEY(S) Dean P. Petrulakis, McCormick Barstow LLP, Modesto, CA

FACTS & ALLEGATIONS On June 7, 2007, plaintiff Terra White, 29, a claims adjuster, was driving a car eastbound on Sperry Road in Patterson. In the Ward Avenue intersection, a

police car operated by a Patterson Police Department officer T-boned her vehicle. Both cars spun out of control, with White's vehicle finally stopping when it struck a telephone pole.

The officer was allegedly responding to a non-injury accident located at Highway 33 and Marshall Road, which was outside his jurisdiction.

The California Highway Patrol determined that the officer caused the accident by running through a red light. The CHP report cited the officer with improper driving in violation of California Vehicle Code § 21055.

White sued the city of Patterson and the county of Stanislaus for motor vehicle negligence.

Through testing of the black box on the patrol car, accident reconstruction experts from both sides determined that the officer was traveling at approximately 30 mph and was accelerating at 100 percent at impact.

White contended that the officer was speeding. She further contended that the county and city, as his employers, were vicariously liable for the officer's actions.

After expert work was finished, the defense admitted liability.

INJURIES/DAMAGES *closed head injury; compression fracture spinal cord; fracture, metacarpal; fracture, radius; loss of consortium; spleen, laceration; triquetral; unconsciousness*

Terra was airlifted to a Modesto hospital with a closed head injury, loss of consciousness, hemoperitoneum, a lacerated spleen, an L3 compression fracture, a left fifth metacarpal fracture, an ulnar styloid fracture, a triquetral bone fracture and a left radius fracture. She claimed recovery from her major injuries, but ongoing back pain.

White claimed about \$10,000 in lost wages and \$180,000 in medical bills.

White's husband, 36, a school principal, sued for loss of consortium.

The defense contested White's injuries.

RESULT After two days of mediation, the case settled for \$675,000.

PLAINTIFF EXPERT(S) Clay A. Campbell, accident reconstruction, Livermore, CA
Warren J. Strudwick, M.D., orthopedic surgery, Emeryville, CA

DEFENSE EXPERT(S) Toby L. Gloekler, P.E., accident reconstruction, Clayton, CA
VanBuren R. Lemons, M.D., neurosurgery, Sacramento, CA

EDITOR'S NOTE This report is based on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls.

—Priya Idiculla