

## AS PUBLISHED IN

### THE NEW YORK JURY VERDICT REPORTER

XV/50-47 MOTOR VEHICLE 12-YEAR-OLD BOY ON ROLLER BLADES STRUCK BY CAR FRACTURED SKULL, MULTIPLE LEG FRACTURES

SETTLEMENT: Jeanine Pessalano, indiv. And as m/n/g of Edward Chimera v. Tara and Ronald Mazzuco 13116/95 Date of Settlement 6/5/98 Richmond Supreme

Pltf. Atty: Joseph Giaramita, Jr., Brooklyn

This action settled, before the first witness was called, for a structured settlement with a current value of \$1,000,000.00. Pltf was 12 years old when the accident occurred on 8/22/95. He was riding down a steep hill on roller blades at approximately 8 PM when he was hit by Deft.s car when Deft. made a left turn. Deft. would have claimed that Pltf. was racing two of his friends, and that he was not wearing a safety helmet. Pltf would have argued that Deft. failed to pay attention to the road, and that Deft. had wine during the hour prior to the accident. Pltf. also would have claimed that he was in a crosswalk when he was struck.

Injuries: fractured skull with subdural hematoma, left frontal hemorrhage, cognitive deficits, headaches, dizziness, sleep disorder, attention deficit disorder, bilateral fractures of the tibia and fibula requiring external orthopedic devices; fractured sphenoid sinus; facial scar; psychological injuries. Pltf. was in a coma and on life support for 1 week.

Structured settlement details: \$108,333 upfront payment, \$25,000 per year for 4 years, and monthly payments of \$2,400 at age 22, guaranteed for 30 years with a 3% increase per year for life. The settlement has a projected value of \$4,013,183. Carrier: Chubb.

Pltf. Experts: Pltf. would have called Domingo Isasi-Diaz, P.E., accident reconstruction, Champagne Assoc., New Rochelle; Dr. Milan Kutanovski, orth, surg., Staten Island; Dr. Michael Marrone, orth. surg., Yonkers; Dr. Harvey Leventhal, neurologist, Staten Island; Dr. Jay Rosenblum, neurologist, Pugh, P.E., helmet expert, Inter-City Testing, Mineola,

Deft. Experts: C. Bruce Gambardella, P.E., accident reconstruction, Spring Valley; Dr. Abe Chutorian, pediatric neurologist, Manhattan; Dr. William Lead, neuropsychiatric, Manhattan; Dr. Edward Crane, orth. surg., Manhattan; Dr. Harold Alexander, helmet expert.

—w. Verdict