

MICHIGAN LAWYERS WEEKLY

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Verdicts & Settlements

Trucker 'slammed' on brakes on freeway

Plaintiff had marijuana in his system

\$715,000

Plaintiff was driving west-bound on Interstate 94 near Rotunda Drive in Dearborn in the evening. He was operating a smaller motor vehicle and drove in the far right lane, obeying the speed limit.

A large truck with an attached trailer was traveling directly in front of plaintiff. De-

fendant truck driver abruptly applied on his brakes in response to a rolling tire on the freeway, causing plaintiff to run into the trailer and collide violently. Marijuana and opiates were found in plaintiff's system.

Defendant's expert testified that plaintiff was traveling 20 mph faster than the truck, and a treating physician noted that plaintiff had leaned over to check a bag before the impact.



WALID Y. FAKHOURY

Plaintiff had no memory of how the accident occurred and was unable to assist with the liability argument. In deposition, plaintiff's counsel did get the defendant driver to admit that

he "slammed" on his brakes. In addition, defendant's expert testified that defendant could have taken alternative measures rather than abruptly applying the brakes.

The matter settled at facilitation for \$715,000.

Type of action: Third-party auto negligence

Settlement amount: \$715,000

Type of injuries: Closed-head injury, fractured ribs, sternum and clavicles, punctured lungs, ankle and knee injuries

Most helpful experts: Larry D. Baareman, transportation expert, Grandville; Gary McDonald, accident reconstruction, Grand Rapids;

Name of case: Confidential

Insurance carrier(s): Withheld

Court/Case no./Date: Confidential; confidential; Feb. 24, 2014

Attorneys for plaintiff: Walid Y. Fakhoury, Andrew S. Khurana

Name of judge: Withheld

Name of facilitator: James J. Rashid

Attorney(s) for defendant: Withheld



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