

Indiano & Williams, P.S.C. successfully obtains \$6 million judgment

Alcohol and driving can lead to unintended consequences and catastrophic injuries. Indiano & Williams, P.S.C. recently represented a pedestrian that was run over by a drunk driver in an SUV that was leaving a local hotel's valet parking. The driver's blood alcohol content ("BAC") was .233%, or almost three times the legal limit (.08%) in Puerto Rico. Not only was the driver legally impaired, but he failed to even see the pedestrian before striking her and running over her with both the front and rear tires.

Miraculously, the pedestrian was not killed. She was airlifted to the mainland United States for intensive care and treatment of her physical injuries, which included 15 weeks of hospitalization.

Indiano & Williams, P.S.C. obtained summary judgment against five defendants, including the driver of the vehicle, his wife, the company that owned the vehicle, and two insurance companies. An order prohibiting the alienation of assets was also obtained as to the non-insurance defendants.

Indiano & Williams, P.S.C. then worked with a team of experts to evaluate and set forth the physical, emotional, and economic damages. This outstanding team included a certified medical examiner, the Chief of Neurology at the University of Puerto Rico, an orthopaedic surgeon, a psychiatrist, a life care planner, and an economist. Indiano & Williams, P.S.C. also worked with medical illustrators who were able to create impressive three-dimensional videos of the chest and pelvic injuries based on the available CT or CAT scans.

The pedestrian's damages were catastrophic and the medical records exceeded 5,000 pages. She suffered seventeen (17) rib fractures, pulmonary contusions with flail chest, bilateral lung pneumothorax, hypoxemia due to respiratory failure/insufficiency, chest wall pain, respiratory distress, fatigability, shortness of breath, permanent pulmonary dysfunction to a mild to moderate degree, intercostal traumatic nerve injury and neuropathic pain, dysphonia due to glottis insufficiency, a tracheotomy scar, cardiovascular injuries, anasarca (infiltration of edema fluid into subcutaneous connective tissue), ascites (accumulation of serous fluid in the peritoneal cavity), right lumbo/pelvic hematoma, nausea, vomiting, gastritis, food intolerance, 30+ pound weight loss, right lumbosacral plexopathy, left lumbosacral plexopathy and radiculopathy, memory cognitive dysfunction, neurogenic bladder syndrome, neurogenic bowel syndrome, neurogenic sexual dysfunction, autonomic dysfunction, left lower extremity saphenous nerve injury, T-12 compressive fracture vertebral body with retropulsion, multiple transverse fractures T12, L1, L2 and L4, L5 vertebrae, sacral ala comminuted fractures zones 1, 2, multiple pelvic fractures, right sacroiliac joint dissociation. Further, she required additional surgery to extract the stabilizing rods and screws surgically inserted in her vertebrae.

She also suffered Post-traumatic Stress Disorder ("PTSD"), major depression, cognitive disorder, mood disorder secondary to general medical condition, and generalized anxiety disorder, as well as anguish for not being able to return to work and anxiety related to sexual difficulties. She received ongoing EMDR treatment and was prescribed various medications. These injuries resulted in a total combined 69% whole body permanent impairment rating.

After less than one year of litigation, Indiano & Williams, P.S.C. reached a pre-trial settlement which resulted in judgment being entered in favor of the pedestrian and her husband in the total amount of \$6 million. At the same time, Indiano & Williams, P.S.C. worked with the worker's compensation carrier to address potential lien issues. By diligently managing the extensive medical documentation, working with top-flight experts, and vigorously prosecuting the case, Indiano & Williams, P.S.C. was able to successfully obtain substantial monetary damages for the client.

As a testimonial to that effort, the lien carrier's representative stated, "I was impressed at the settlement you secured for your clients. I believe that I can safely say that only our very best attorneys in this country would have garnered so large a settlement under similar circumstances." "[Y]our handling of this matter... was exemplary and the settlement figure itself really quite remarkable."