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## TIE \$3 Million

**Attorneys:** Robert T. Hall and Steven M. Frei, Reston; Peter S. Everett, Fairfax

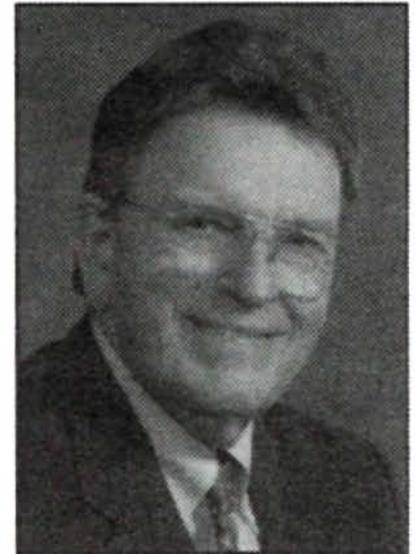
**Mediator:** Paul Sheridan

**Summary:** The plaintiff was thrown from his bicycle after being struck in a crosswalk by a driver who turned right on a red light.

A few days after the accident, the plaintiff began experiencing problems with memory, writing and reading. Six weeks after the crash, he was diagnosed with post-concussion syndrome. Subsequent tests led to a diagnosis of traumatic brain injury.

He continued to work after the accident, but problems with memory and other cognitive functioning led him to retire on disability from his six-figure job. He later returned to school to pursue a new career.

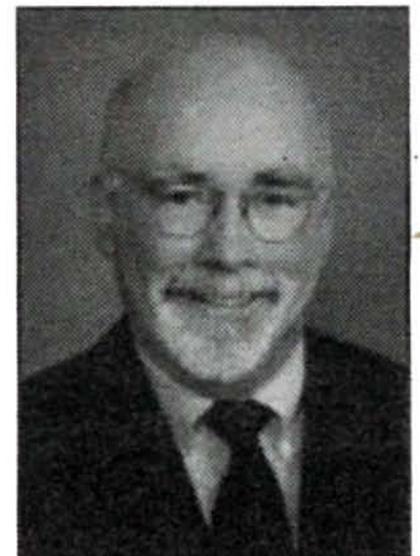
Defense contested the brain injury.



HALL



FREI



EVERETT

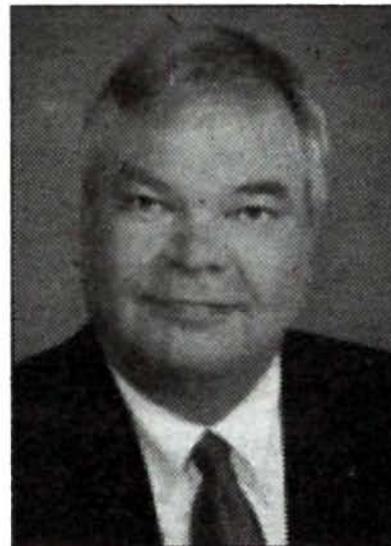
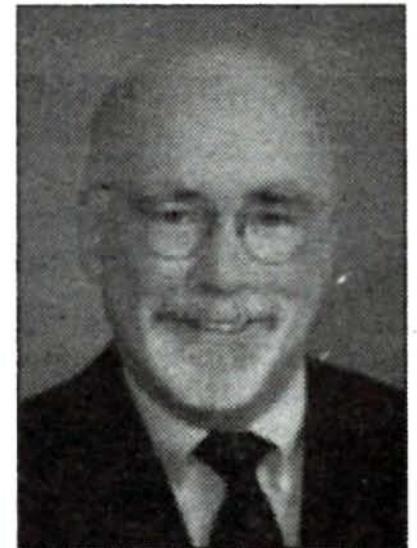
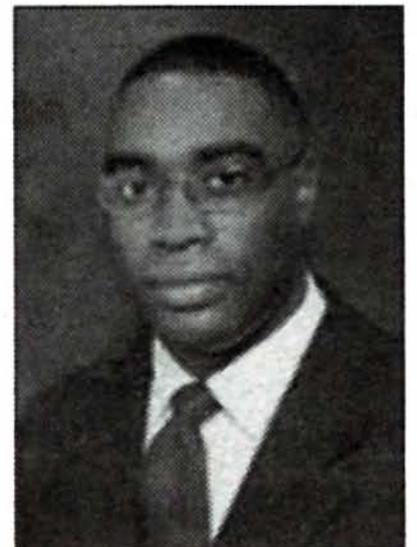
**25****\$1.6 Million**

**Attorneys:** Peter S. Everett, Mark A. Towery and Chidi I. James, Fairfax

**Summary:** A 52-year-old executive driving on a 55 mph road in Fairfax County collided with a landscaping company truck that pulled out from a side road. Each driver complained that construction equipment blocked their view of the intersection.

The plaintiff suffered a mild traumatic brain injury with pervasive short term memory impairment. He was able to resume full time work, but frequently had to leave early with headaches.

The plaintiff filed a negligence claim against the truck driver and his employer, and a negligence and public nuisance claim against the construction company and the developer.

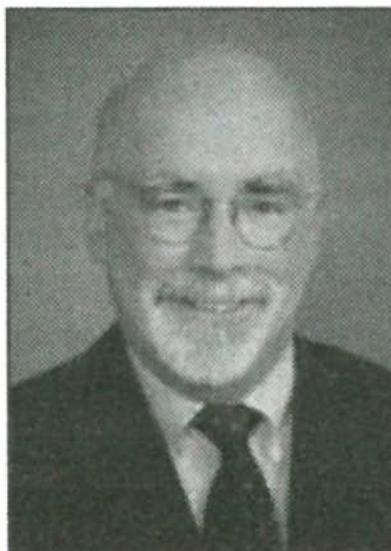
**TOWERY****EVERETT****JAMES**

# Trucker with sleep apnea crushed VW in wreck

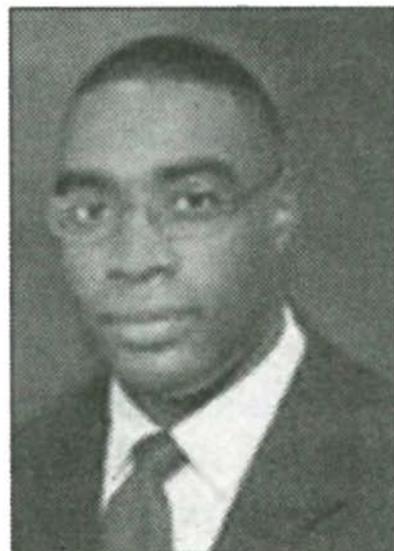
## \$4.8 Million

A truck driver fell asleep on Route 15 in Pennsylvania, woke up and applied brakes just before crushing decedent's VW Passat. Discovery revealed the truck driver had complained of day-time sleepiness and had been diagnosed with mild sleep apnea.

The decedent, a 54-year-old counselor from Centreville, had been offered a job starting at \$120,000 just before her death.



**EVERETT**



**JAMES**

Under Pennsylvania law, the plaintiffs claimed pre-death terror and mental suffering based upon the decedent's clear view of the tractor-trailer bearing down on her as she sat stopped in traffic.

After litigating the case for several years and a failed mediation, the trucking company fired the claims examiner and reconvened negotiations. A new examiner assessed the claim and the parties reached a settlement.

Peter S. Everett and Chidi I. James of Fairfax represented the plaintiff.