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IN THE SUPREME COURT OF THE STATE OF NEVADA

VERONICA JAZMIN CASTILLO, AN
INDIVIDUAL,

Appellant,

vs.

ARMANDO PONS-DIAZ, AN
INDIVIDUAL,

Respondent.

Supreme Court Case No. 82267

District Court Case No.A-19-789525-C

APPELLANT'S APPENDIX
VOLUME 4

Appellant VERONICA JAZMIN CASTILLO submits the following Appellant's Appendix in the Appeal from the Eighth Judicial District Court of the State of Nevada in and for the County of Clark, Department 4, the Honorable Nadia Krall

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Appellant VERONICA JAZMIN CASTILLO, by and through her counsel of record, Desert Ridge Legal Group, hereby submit its Appellant's Appendix in compliance with Nevada Rules of Appellate Procedure 30(b)(4).

INDEX/TABLE OF CONTENTS

<u>NAME OF DOCUMENT</u>	<u>Volume</u>	<u>Page</u>
Defendant's Eac Disclosures	4	APP000753- APP000843
Discovery requests to Plaintiff	4	APP000844- APP000866
Offer of Judgment	4	APP000867- APP000870

The Appendix satisfies NRAP 30(c)(3) (2013), with each volume containing no more than 250 pages.

DATED: September 21st 2021.

/s/ Thomas A. Larmore

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September 2021, I served a true and complete copy of the foregoing **APPELLANT'S APPENDIX VOLUME 4** **addressed** to the parties below as follows:

[X] by placing a true and correct copy of the same to be deposited for mailing in the U.S. Mail, enclosed in a sealed envelope upon which first class postage was fully prepaid; and /or
[] via facsimile; and or
[] by hand delivery to parties listed below; and or
[X] by electronic service via E Flex through the Supreme Court of the State of Nevada.

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7/8/11 - pro tem Judge WILLIAM A. BRANNON -
CV A601933 - MANCHEGO (Joseph J. Wirth of
Mainor Wirth, L.L.P.) v MARGITZA (Bruce N.
Willoughby of David L. Riddle & Associates) -
PERSONAL INJURY - INTERSECTION -
CONTROLLED - T-BONE MISHAP. Case being
tried on Dfnt's appeal of Plntf's \$36,000 arbitration
award. Case also being tried as a Shorttrial. Plntf,
male, age 18, a Nevada resident, employed as a
construction worker, alleged Dfnt, in her sixties, a
Nevada resident, negligently T-boned his vehicle.
Plntf alleged he sustained cervical, thoracic, and
lumbar soft tissue injuries, with a bulging
lumbosacral disk at L-5, S-1, which required
chiropractic treatment, epidural injections, and
physical therapy. Plntf used the medical reports of
his treating physicians, Theodore M. Thorp, M.D., a
general practitioner; and Michael A. Prater, M.D., a
pain management specialist. Dfnt used the medical
report of James S. Forage, M.D., a neurosurgeon.
Prayer: In excess of \$10,000 compensatory damages;
plus \$12,170 medical expenses (P & D). (Carrier:
Farmers Insurance.) One day trial. By stipulation,
four jurors deliberated. Jury out one hour.
AWARDED PLNTF \$26,900.70
COMPENSATORY DAMAGES.

7/7/11 - pro tem Judge JOHN L. THORNDAL - CV
A601358 - CARRANZA (Joseph B. Iarussi of
Advanced Litigation Services, Inc.) v BROCKMAN
(David L. Riddle of David L. Riddle & Associates) -
PERSONAL INJURY - REAREND. Case being
tried on Dfnt's appeal of Plntf's \$10,000 arbitration
award. Case also being tried as a Shorttrial. Plntf,
male, age 38, a Nevada resident, employed as a real
estate agent, alleged he was rear-ended by Dfnt.
Dfnt, female, a Nevada resident, employed as a
schoolteacher, admitted negligence, but argued
causation. Plntf alleged he sustained cervical,
thoracic, and lumbar soft tissue injuries; plus an
injury to the shoulder. Plntf alleged he required two
months of chiropractic treatment. Dfnt argued
impact was minor and Plntf was not injured. Prayer:
In excess of \$10,000 compensatory damages; \$4,500
medical expenses; plus \$800 property damage. Plntf
made a pretrial demand of \$9,500 - Dfnt offered
\$2,000. (Carrier: Farmers Insurance.) During
closing arguments, Plntf's counsel asked jury to
award Plntf \$10,000. Defense counsel argued Plntf
should take nothing. One day trial. By stipulation,
four jurors deliberated. Jury out ? hours. FOUND
FOR DFNT.

7/22/11 - pro tem Judge STEVEN J. KAREN - CV A615617 - DELGADO-MACHUCA and LOPEZ-GARCIA (Robert L. Hempen, II, of Law Offices of Robert L. Hempen, II) v ESCOTO (Daniel E. Curriden of Arneson & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf Delgado-Machuca's \$9,092 arbitration award and Plntf Lopez-Garcia's \$8,555 arbitration award. Case also being tried as a Shorttrial. Plntf Delgado-Machuca, male, age 21, and Plntf Lopez-Garcia, male, age 34, both Nevada residents, employed as day laborers, alleged their Dodge pickup truck was rear-ended by Dfnt, who was operating a Toyota Avalon. Dfnt, male, age 69, a Nevada resident and retired restaurant manager, denied liability, advancing the defense that Plntfs precipitated the collision by backing into Dfnt's vehicle. Plntfs alleged they sustained cervical, thoracic, and lumbar soft tissue injuries. Plntfs used the medical report of John B. Siegler, M.D., a physiatrist. Dfnt argued Plntfs' medical expenses were unreasonable. Plntf Delgado-Machuca's Prayer: In excess of \$10,000 compensatory damages; plus \$6,934 medical expenses. Plntf Lopez-Garcia's Prayer: In excess of \$10,000 compensatory damages; plus \$6,531 medical expenses. Plntf Delgado-Machuca made a pretrial demand of \$6,934 - Dfnt offered \$2,500. Plntf Lopez-Garcia made a pretrial demand of \$6,531 - Dfnt offered \$3,250 (D). (Carrier: AAA.) One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. AWARDED PLNTF DELGADO-MACHUCA \$6,934 COMPENSATORY DAMAGES; AND AWARDED PLNTF LOPEZ-GARCIA \$6,531 COMPENSATORY DAMAGES.

7/22/11 - pro tem Judge JOHN L. THORNDAL - CV A599078 - EVERFIELD (Brent D. Valdez of David Francis Law Firm, L.L.C.) v BALLINGER (Martina L. Jaccarino of David L. Riddle & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$11,323 arbitration award, with a finding that Dfnt was seventy-five percent at fault. Case also being tried as a Shorttrial. Additionally, case being tried on comparative fault. Plntf, female, age 54, a Nevada visitor, employed as a casino dealer, alleged that, as she executed a right turn, she was rear-ended by Dfnt. Dfnt, male, age 23, a Nevada resident, employed as a police officer, denied liability, advancing the defense that Plntf negligently stopped prior to executing a right turn, in an area where the traffic control device did not regulate the right turn lane. Dfnt called William N. Morrison, an accident reconstructionist, who was of the opinion that Plntf should not have stopped before she executed the right turn. Plntf alleged she sustained cervical and lumbar strains and sprains. Prayer: In excess of \$10,000 compensatory damages; plus an unspecified amount for medical expenses. Plntf made a pretrial demand of \$9,000 - Dfnt offered \$4,000 (P). (Carrier: Farmers Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$20,000. Defense counsel argued liability. One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF \$18,500 COMPENSATORY DAMAGES. (Found Plntf to be forty percent at fault and Dfnt to be sixty percent at fault; therefore, Plntf's award to be reduced to \$11,100.)

7/29/11 - pro tem Judge MICHAEL A. KONING -
CV A590177 - BRIN (pro se) v CRANFORD
(Nickolas A. Amon of Bruzas & Associates) -
PERSONAL INJURY - REAREND. Case being
tried on Dfnt's appeal of Plntf's \$6,500 arbitration
award. Case also being tried as a Shorttrial. Plntf,
female, an unemployed Nevada resident, was
operating a Saturn. Plntf alleged that, while stopped
for a red traffic signal on Fremont Street, at Las
Vegas Boulevard, she was rear-ended by Dfnt, who
was operating a Nissan Xterra. Dfnt, female, a
Nevada resident, admitted negligence, but argued
causation. Plntf alleged she sustained cervical,
thoracic, and lumbar soft tissue injuries. Dfnt argued
impact was minor, and Plntf's treatment was
unrelated. Prayer: In excess of \$10,000
compensatory damages; plus an unspecified amount
for medical expenses. (Carrier: Allstate Insurance.)
One day trial. By stipulation, four jurors deliberated.
Jury out ? hours. FOUND FOR DFNT. (Post-trial,
Plntf appealed the verdict.)

7/25/11 - pro tem Judge JAMES SHIELDS
BEASLEY - CV 10-02231 - VANOVER (Robert R.
Jensen of Galloway & Jensen) v WOOSLEY (Karl
H. Smith of David L. Riddle & Associates) -
PERSONAL INJURY - REAREND. Case being
tried on Dfnt's appeal of Plntf's \$4,000 arbitration
award. Case also being tried as a Shorttrial. Plntf,
female, age 51, disabled, alleged she was rear-ended
by Dfnt. Dfnt, female, age 60, employed as a
bookkeeper, admitted negligence, but argued
causation. Plntf alleged she sustained cervical,
thoracic, and lumbar soft tissue injuries. Plntf used
the medical report of Alan S. Bader, D.C. Dfnt
argued Plntf was not injured. Dfnt alleged Plntf
waited one week before seeking chiropractic
treatment. Prayer: In excess of \$10,000
compensatory damages; \$2,365 past medical
expenses; plus \$2,300 future medical expenses. Plntf
made a pretrial demand of \$10,000 - Dfnt made a
\$1,935 offer of judgment (D). (Carrier: Farmers
Insurance.) During closing arguments, Plntf's
counsel asked jury to award Plntf her specials, plus
\$6,000 for pain and suffering. Defense counsel
argued impact was minor, with only \$1,029 property
damage to the rear of Plntf's vehicle. One day trial.
By stipulation, four jurors deliberated. Jury out one-
plus hours. AWARDED PLNTF \$2,365
COMPENSATORY DAMAGES.

8/4/11 - pro tem Judge CHRISTOPHER J. CURTIS -
CV A595115 - RENTERIA (Dustin R. Marcello of
Law Offices of Osvaldo E. Fumo, Chtd.) v
WADSWORTH (Robert K. "Kade" Baird of Rogers,
Mastrangelo, Carvalho & Mitchell) - PERSONAL
INJURY - MULTIPLE-VEHICLE REAREND.

**Case being tried on Dfnt's appeal of Plntf's \$20,000
arbitration award.**

Case also being tried as a
Shortrial. Plntf, female, a Nevada resident, alleged
she was rear-ended by Dfnt. Plntf also alleged the
impact propelled her vehicle into the vehicle in front
of her. Additionally, Plntf alleged Dfnt fled the
accident scene. Dfnt, female, a Nevada resident,
denied liability, advancing the defense that Plntf rear-
ended the vehicle in front of her, which caused Dfnt
to rear-end Plntf's vehicle. Plntf alleged she
sustained cervical, thoracic, and lumbar soft tissue
injuries. Prayer: In excess of \$10,000 compensatory
damages; \$7,273.72 medical expenses; plus
\$2,954.88 lost wages. Plntf made a \$25,000 pretrial
offer of judgment - Dfnt offered \$8,000 (D).
(Carrier: State Farm Insurance.) During closing
arguments, Plntf's counsel asked jury to award Plntf
\$25,000. Defense counsel argued liability. One day
trial. By stipulation, four jurors deliberated. Jury out
two hours. AWARDDED PLNTF \$15,240
COMPENSATORY DAMAGES.

8/24/11 - Judge DAVID B. BARKER - CV A589426
- PEDROSO (Naomi R. Arin of Agwara &
Associates) v GUZMAN (Byron F.L. Browne of
McCormick, Barstow, Sheppard, Wayte & Carruth,
L.L.P.) - PERSONAL INJURY - REAREND. Case
being tried on Dfnt's appeal of Plntf's \$17,443.45
arbitration award. Plntf, male, a Nevada resident,
employed as a porter, alleged he was rear-ended by
Dfnt. Dfnt, male, a Nevada resident, employed as an
automotive body specialist, admitted negligence, but
argued causation. Plntf alleged he sustained a
cervical strain and sprain; plus nerve damage to the
lumbar spine, with ongoing residual radiating pain.
Plntf called Steven A. Holper, M.D., a physiatrist,
who testified Plntf sustained lumbar nerve damage.
Plntf also called Edward Johnson, D.C., who testified
Plntf's complaints were causally related. Dfnt argued
Plntf withheld his medical history from his
physicians. Dfnt alleged Plntf's complaints were
related to his preexistent condition. Prayer: In excess
of \$10,000 compensatory damages; plus \$11,500
medical expenses. Plntf made a pretrial demand of
\$10,500 - Dfnt offered \$7,200 (D). (Carrier: State
Farm Insurance.) During closing arguments, Plntf's
counsel asked jury to award Plntf \$25,000. Defense
counsel argued Plntf was not injured. Three day trial.
Jury out one-plus hours. FOUND FOR DFNT.

8/26/11 - pro tem Judge M. NELSON SEGEL - CV A609659 - JONES (Christian N. Griffin of Richard Harris Law Firm) v POWELL (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - INTERSECTION - CONTROLLED - LEFT TURN MISHAP. Case being tried on Dfnt's appeal of Plntf's \$6,606.38 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 42, a Nevada resident, employed as a plumber, and Dfnt were in double left turn lanes. Plntf alleged that, as they executed left turns, Dfnt negligently collided with the driver's side of Plntf's vehicle. Dfnt, male, a Nevada visitor, admitted negligence, but argued causation. Plntf alleged he sustained cervical and lumbar soft tissue injuries, with secondary headaches; plus an injury to the left knee. Plntf used the medical records of Theodore M. Thorp, M.D., a family practitioner; and Joseph Bananto, D.C. Prayer: In excess of \$10,000 compensatory damages; plus \$4,106.38 medical expenses. Plntf made a \$6,000 pretrial offer of judgment - Dfnt made a \$2,500 offer of judgment (D). (Carrier: American Access Casualty Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$6,606.38. Defense counsel argued causation and damages. One day trial. By stipulation, four jurors deliberated. Jury out one hour. FOUND FOR DFNT. (Post-trial, Dfnt filed motion for costs and fees.)

9/1/11 - pro tem Judge J. MITCHELL COBEAGA -
CV A598373 - HUNTER (Ralph E. Porter of Porter
& Terry, L.L.C.) v ORELLANA-GOMEZ (Yianna
C. Reizakis of R.S. Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's

appeal of Plntf's \$24,067.65 arbitration award.

Case also being tried as a Shorttrial. Plntf, female,
age 42, a Nevada resident, employed as a bartender,
alleged she was rear-ended by Dfnt. Dfnt, male, a
Nevada visitor, who did not appear at trial, admitted
negligence, but argued causation. Plntf alleged she
sustained cervical, thoracic, and lumbar soft tissue
injuries, with secondary headaches; plus injuries to
the left shoulder, wrist, and hand, as well as injuries
to the hip, knee, and ankle. Plntf also alleged she is
unable to engage in recreational activities such as
surfing and hiking, as she had done previously.
Additionally, Plntf alleged she has ongoing residual
pain. Plntf used the medical reports of Ronald
Greenawalt, D.C.; Richard A. Cestkowski, D.O., a
general practitioner; and Rueben F. Cervantez,
R.P.T.; all of whom were of the opinion that Plntf's
treatment was causally related, reasonable, and
necessary. Dfnt argued impact was minor and Plntf
was not injured. Dfnt also argued Plntf's complaints
were related to her preexistent condition.
Additionally, Dfnt argued Plntf did not reasonably
follow her physician's directions. Dfnt used the
medical report of Anthony B. Serfustini, M.D., an
orthoped, who was of the opinion that the MRIs
performed on Plntf's spine and head were
unnecessary. Prayer: In excess of \$10,000
compensatory damages; plus \$7,761.98 medical
expenses. Plntf made a \$14,999 pretrial offer of
judgment - Dfnt made a \$6,001 offer of judgment (P
& D). (Carrier: American Access Insurance.)
During closing arguments, Plntf's counsel asked jury
to award Plntf \$24,000 (per P) or \$35,500 (per D).
Defense counsel argued impact was minor and Plntf
was not injured. One day trial. By stipulation, four
jurors deliberated. Jury out ? hours. AWARDED
PLNTF \$10,000 COMPENSATORY DAMAGES
(REPRESENTING \$7,762 FOR MEDICAL
EXPENSES AND \$2,238 FOR PAIN AND
SUFFERING). (Post-trial, Court awarded Plntf
\$6,200 in costs, fees, and prejudgment interest.)

9/2/11 - pro tem Judge MICHAEL C. MILLS - CV
A602613 - HINOSTROSA (David M. Romanow of
Shook & Stone, Chtd.) v PEREZ (Randall W.
"Randy" Tindall of David L. Riddle & Associates) -
PERSONAL INJURY - REAREND. Case being
tried on Dfnt's appeal of Plntf's \$13,081.50
arbitration award. Case also being tried as a
Shortrial. Plntf, male, a Nevada resident, employed
as a police officer, alleged he was rear-ended by
Dfnt. Dfnt, male, a Nevada resident, admitted
negligence, but argued causation. Plntf alleged he
sustained cervical, thoracic, and lumbar soft tissue
injuries. Dfnt argued impact was minor, and Plntf
was not injured. Prayer: In excess of \$10,000
compensatory damages; plus an unspecified amount
for medical expenses (Mills). (Carrier: Unknown.)
During closing arguments, Plntf's counsel asked jury
to award Plntf \$22,000. Defense counsel argued
causation. One day trial. By stipulation, four jurors
deliberated. Jury out ? hours. AWARDED PLNTF
\$9,581.50 COMPENSATORY DAMAGES.

9/15/11 - pro tem Judge DAVID A. STEPHENS -
CV A604026 - BERMUDEZ (William R. Brenske of
Brenske & Christensen) v STRINGFIELD (Anthony
L. Ashby of David L. Riddle & Associates) -
PERSONAL INJURY - REAREND. Case being
tried on Dfnt's appeal of Plntf's \$16,803.75
arbitration award. Case also being tried as a
Shorttrial. Plntf, male, age 33, a Nevada resident,
employed as a food server, alleged that, while
travelling southbound on Decatur Boulevard, he was
rear-ended by Dfnt. Dfnt, male, age 24, a Nevada
resident, employed as a food handler, admitted
negligence, but argued Plntf's damage award for pain
and suffering should be capped at \$3,000. Plntf
alleged he sustained cervical and lumbar strains and
sprains. Plntf called his treating physicians, Rodney
E. Perry, D.C.; and Kenneth Y. Hampar, M.D., a pain
management specialist; both of whom were of the
opinion that Plntf's complaints were causally related.
Prayer: In excess of \$10,000 compensatory damages;
\$5,723.75 medical expenses; plus \$400 lost wages.
Plntf made a pretrial demand of \$16,803.75 - Dfnt
offered \$5,330 (P). (Carrier: Farmers Insurance.)
One day trial. By stipulation, four jurors deliberated.
Jury out one hour. AWARDED PLNTF \$16,000
COMPENSATORY DAMAGES.

9/22/11 - pro tem Judge PHILIP J. DABNEY - CV A603078 - RUSH and HADDEN (Cory M. Jones of Royal, Jones, Miles, Dunkley & Wilson) v SHEINFELD (Catherine F. Clein of Bruzas & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf Rush's \$20,200 arbitration award and Plntf Hadden's \$14,350 arbitration award. Case also being tried as a Shorttrial. Plntf Rush, female, age 44, operating a vehicle with passenger, Plntf Hadden, male, age 19, both Nevada residents, alleged they were rear-ended by Dfnt, male. Plntf Rush alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf Hadden alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; plus an injury to the wrist. Plntf Rush's Prayer: In excess of \$10,000 compensatory damages; \$7,560.30 medical expenses; plus \$6,320 lost wages. Plntf Hadden's Prayer: In excess of \$10,000 compensatory damages; plus \$9,349 medical expenses. Plntf Rush made a \$20,199 pretrial offer of judgment; Plntf Hadden made a \$14,349 pretrial offer of judgment (P). (Carrier: Allstate Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out thirty minutes. AWARDED PLNTF RUSH \$26,500 COMPENSATORY DAMAGES, AND AWARDED PLNTF HADDEN \$18,702 COMPENSATORY DAMAGES.

9/23/11 - pro tem Judge DAVID LIEBRADER - CV
A602520 - GATLIN (Jason W. Barrus of Baker Law
Offices) v BUCHAN (Boone L. Cragun of David L.
Riddle & Associates) - PERSONAL INJURY -
REAREND. Case being tried on Dfnt's appeal of
Plntf's \$11,019.05 arbitration award. Case also
being tried as a Shorttrial. Plntf, female, a Nevada
resident, alleged she was rear-ended by Dfnt. Dfnt,
male, a Nevada resident, admitted negligence, but
argued causation. Dfnt used the report of David M.
Sonne, an accident reconstructionist. Plntf alleged
she sustained soft tissue injuries. Dfnt argued impact
was minor, with no damage to the vehicles, and Plntf
was not injured. Prayer: In excess of \$10,000
compensatory damages; plus \$4,519.05 medical
expenses. Plntf made a \$4,519.05 pretrial offer of
judgment - Dfnt refused to make an offer (D).
(Carrier: Farmers Insurance.) One day trial. By
stipulation, four jurors deliberated. Jury out ? hours.
FOUND FOR DFNT.

10/6/11 - pro tem Judge JAMES G. ARMSTRONG -
CV A591244 - TEMOCHE (Marcus A. Berg of
Henness & Haight) v BEACH (Boone L. Cragun of
David L. Riddle & Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's
appeal of Plntf's \$12,118 arbitration award. Case
also being tried as a Shorttrial. Plntf, female, age 42,
a Nevada resident, employed as a loan officer/real
estate agent, alleged she was rear-ended by Dfnt.
Dfnt, male, age 19, a Nevada resident and student,
admitted negligence, but argued causation. Dfnt used
the report of David M. Sonne, an accident
reconstructionist. Plntf alleged she sustained
cervical, thoracic, and lumbar soft tissue injuries,
which required three months medical treatment. Dfnt
argued impact was minor, and the damage to Plntf's
vehicle consisted of a few paint scrapes on the
bumper. Prayer: In excess of \$10,000 compensatory
damages; plus \$4,768 (per P) or \$5,118 (per D)
medical expenses. Plntf made a pretrial demand of
\$12,118 - Dfnt offered \$5,207 (per P) or \$5,500 (per
D) (P & D). (Carrier: Farmers Insurance.) During
closing arguments, Plntf's counsel asked jury to
award Plntf \$4,768 for medical expenses, plus \$7,350
for pain and suffering. Defense counsel argued Plntf
was not injured. One day trial. By stipulation, four
jurors deliberated. Jury out one hour. AWARDED
PLNTF \$7,725 COMPENSATORY DAMAGES.

10/13/11 - pro tem Judge GEORGE E. CROMER - CV A608720 - GARCIA (Samuel R. Mirkovich of Nettles Law Firm) v FARR (Imran Anwar of Rogers, Mastrangelo, Carvalho & Mitchell) - PERSONAL INJURY - LANE CHANGE. Case being tried on Dfnt's appeal of Plntf's \$13,649 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 56, a Nevada resident, employed as a school cook, alleged that, while she was travelling in the right turn lane, Dfnt negligently changed lanes and struck the driver's side of Plntf's vehicle. Dfnt, male, age 75, a retired Nevada resident, denied liability, advancing the defense that there were construction cones blocking the right turn lane, but there was an opening to allow vehicles into the lane. Dfnt alleged that, as he entered the lane, Plntf attempted to pass him on the right. Dfnt also alleged impact was minor, with no physical damage to either vehicle. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries, with residual cervical and arm pain. Plntf used the medical records of her treating physicians. Dfnt argued Plntf was not injured. Prayer: In excess of \$10,000 compensatory damages; plus \$7,594 medical expenses. Plntf made a pretrial demand of \$50,000, reduced to \$13,649 - Dfnt made a \$4,001 offer of judgment (D). (Carrier: State Farm Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$13,000. Defense counsel argued Plntf should take nothing. One day trial. By stipulation, four jurors deliberated. Jury out thirty minutes. FOUND FOR DFNT.

10/20/11 - pro tem Judge JOHN L. THORNDAL -
CV A580423 - ZUNIGA (Benjamin C. Durham, a
sole practitioner) v FOLLETTE (Bruce W. Kelley of
McCormick, Barstow, Sheppard, Wayte & Carruth,
L.L.P.) - PERSONAL INJURY - AUTOMOTIVE
MISHAP. Case being tried on Dfnt's appeal of
Plntf's \$50,000 arbitration award. Case also being
tried as a Shorttrial. Plntf, female, age 40, a Nevada
resident, employed as a bingo supervisor, alleged
Dfnt negligently caused collision. Dfnt, male, a
Nevada resident, admitted liability, but argued
causation. Plntf alleged she sustained cervical and
lumbar spinal injuries. Plntf used the medical reports
of Theodore M. Thorp, M.D., a family practitioner;
and Michael J. McKenna, M.D., a pain management
specialist. Dfnt argued Plntf sustained an
aggravation of her preexistent condition. Dfnt used
the medical report of Anthony B. Serfustini, M.D., an
orthoped, who was of the opinion the collision
exacerbated Plntf's preexistent condition, and only
\$5,000 medical expenses were causally related.
Prayer: In excess of \$10,000 compensatory damages;
plus an unspecified amount for medical expenses.
Plntf made a \$35,000 pretrial offer of judgment -
Dfnt made a \$20,000 offer of judgment (D).
(Carrier: American National Property and Casualty
Insurance.) During closing arguments, Plntf's
counsel argued Plntf sustained a new injury, and
asked jury to award Plntf \$50,000. Defense counsel
argued reasonable medical expenses were closer to
\$5,000. One day trial. By stipulation, four jurors
deliberated. Jury out ? hours. AWARDED PLNTF
\$5,113 COMPENSATORY DAMAGES.

10/21/11 - Judge VALORIE J. VEGA - CV A596809 - RIVAS (M. Erik Ahlander and Stephen M. Shulman of Henness & Haight) v HARPER (Phillip R. Emerson of Emerson & Manke, P.L.L.C.) - PERSONAL INJURY - AUTOMOTIVE MISHAP. Case being tried on Dfnt's appeal of Plntf father's \$15,866 arbitration award and Plntf son's \$9,777 arbitration award. Plntf father, age 44, a Nevada resident, employed as a bellman, was operating a vehicle with passenger, Plntf son, age 14, a Nevada resident and student. Plntf father alleged he did not anticipate that Dfnt would cross the path of stopped motorists and strike Plntfs' vehicle. Dfnt, male, age 25, a Nevada visitor, employed as a pharmacy technician, admitted liability, but argued causation. Dfnt alleged he was only travelling a few miles-per-hour, at the time of impact, and just "clipped" Plntfs' vehicle. Both Plntfs alleged they sustained cervical, thoracic, and lumbar soft tissue injuries. Plntfs also alleged that, due to their busy schedules, they had a difficult time treating consistently, and their injuries interfered with their work and school activities. Plntfs called Nickolas Karajohn, M.D., a family practitioner, who was of the opinion that Plntfs' injuries were causally related and required treatment. Plntfs also called their treating physician, Gerard Bozman, D.C., who was of the opinion that Plntfs' treatment was causally related, reasonable, and necessary. Dfnt argued impact was minor. Dfnt called Michael Karagiozis, D.O., a family practitioner, who was of the opinion it was possible Plntfs were injured, but that their medical expenses should not have exceeded \$1,250. It was also Dr. Karagiozis' opinion that Plntfs' reported pain levels were inconsistent and unrealistic. Additionally, it was Dr. Karagiozis' opinion that Plntfs could have had the same relief by self-treating at home. Plntf father's Prayer: In excess of \$10,000 compensatory damages; plus \$5,866 medical expenses. Plntf son's Prayer: In excess of \$10,000 compensatory damages; plus \$3,667 medical expenses. Plntf father made a \$12,000 pretrial offer of judgment - Dfnt made a \$5,000 offer of judgment. Plntf son made an \$8,000 pretrial offer of judgment - Dfnt made a \$3,500 offer of judgment (P). (Carrier: Mercury Insurance.) During closing arguments, Plntfs' counsel argued Plntfs were injured, despite insignificant damage to their vehicle. Defense counsel argued Dfnt only "nudged" Plntfs' vehicle, which sustained only

cosmetic damage. Defense counsel also argued that Plntfs' continued to treat after they had been discharged from treatment. Five day trial. Jury out two-plus hours. AWARDED PLNTF FATHER \$1,574 COMPENSATORY DAMAGES FOR MEDICAL EXPENSES, AND AWARDED PLNTF SON \$1,335 COMPENSATORY DAMAGES FOR MEDICAL EXPENSES. (Post-trial, Plntfs filed motion for Additur or, alternatively, a new trial.)

10/21/11 - pro tem Judge BRIAN K. TERRY - CV A568376 - GRAHAM (pro se) v A-CAB COMPANY (Daniel A. Ingrassia of Rogers, Mastrangelo, Carvalho & Mitchell) - PERSONAL INJURY - TAXICAB MISHAP. Case being tried on Plntf's appeal of \$26,018 arbitration award and Plntf's spouse's \$2,000 arbitration award for loss of consortium. Case also being tried as a Shorttrial. Plntf, in his seventies, a retired Nevada visitor, who used a walker to ambulate, was passenger in Dfnt's wheelchair accessible vehicle. Plntf alleged that, as Dfnt's driver approached the intersection of Arville Street and Tropicana Avenue, Dfnt's driver sped through the intersection, executed a turn onto Tropicana Avenue, swerved to avoid another vehicle, and came to a sudden stop. Plntf also alleged Dfnt's driver failed to assist Plntf with the seatbelt restraint. Additionally, Plntf alleged he was thrown from the back seat, struck his head on the front seat, hit his body on his walker, then landed on the floor of the vehicle. Dfnt denied liability. Plntf alleged he sustained an extreme aggravation of his preexistent degenerative cervical and lumbar disk disease, cervical and lumbar facet arthropathies, and lumbar radiculopathy. Plntf also alleged his quality of life has been significantly affected by the accident, and his pain has significantly increased since the accident, physically as well as psychologically. Prayer: In excess of \$10,000 compensatory damages; over \$100,000 medical expenses. Plntf's spouse made claim for loss of consortium. (Carrier: American Country Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$47,973 COMPENSATORY DAMAGES (REPRESENTING \$22,973 FOR MEDICAL EXPENSES AND \$25,000 FOR PAIN AND SUFFERING; AND AWARDED PLNTF'S SPOUSE \$500 FOR LOSS OF CONSORTIUM.

11/17/11 - pro tem Judge ROBERT J. ARNESON -
CV A609915 - HEINER (Donald C. Kudler of Cap
& Kudler, Attorneys at Law) v TYSPIN (Anthony L.
Ashby of David L. Riddle & Associates) -
PERSONAL INJURY - INTERSECTION - LEFT
TURN. Case being tried on Dfnt's appeal of Plntf's
\$8,374 arbitration award. Case also being tried as a
Shorttrial. Plntf, male, age 42, a Nevada resident,
alleged Dfnt, male, age 23, a Nevada resident,
employed as a slot machine technician, who was
operating a 1995 Mitsubishi Eclipse, negligently
executed a left turn onto eastbound Carey Avenue
from the Fiesta Ice Arena, which caused Plntf to
swerve to avoid Dfnt's vehicle and strike non-party
motorist's vehicle. Plntf alleged he sustained a
closed head injury, with some residual brain damage;
cervical, thoracic, and lumbar soft tissue injuries;
plus an injury to the left forearm. Prayer: In excess
of \$10,000 compensatory damages; plus an
unspecified amount for medical expenses. (Carrier:
Farmers Insurance.) One day trial. By stipulation,
four jurors deliberated. Jury out less than one hour.
AWARDED PLNTF \$12,136.50
COMPENSATORY DAMAGES (REPRESENTING
\$4,373.50 FOR MEDICAL EXPENSES, \$4,000
FOR PAST PAIN AND SUFFERING, AND \$3,763
FOR FUTURE PAIN AND SUFFERING).

Following is some additional information about a trial previously reported in the November 2011 issue of THE TRIAL REPORTER of Nevada. The additional information is in **bold italic type**.

10/14/11 - pro tem Judge MICHAEL D. RAWLINS - CV A565463 - BEAUDETTE (George T. Bochanis of George T. Bochanis, Ltd.) v WRIGHT (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - REAREND. ***Case being tried on Dfnt's appeal of Plntf's \$7,837 arbitration award.*** Case also being tried as a Shorttrial. Plntf, ***in his forties***, a Nevada resident, employed as a computer technician, alleged that, as he slowed for traffic, northbound on U.S. Highway 95, near the Cheyenne Avenue on-ramp, he was rear-ended by Dfnt, who was operating a 1997 Nissan 200SX. Dfnt, male, a Nevada resident, ***who did not appear at trial, admitted negligence, but argued causation.*** Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries, with tingling radiating into his leg; ***plus an aggravation of his preexistent lumbar condition.*** ***Plntf used the videotape deposition of William G. Leavitt, D.C., who was of the opinion that Plntf's twenty-four chiropractic treatments were necessary and reasonable, as well as causally related. Dfnt argued impact was minor and Plntf was not injured. Dfnt used the deposition of Curtis W. Poindexter, M.D., a physiatrist, who was of the opinion that, at most, Plntf sustained minimal soft tissue injuries, which required no more than six conservative chiropractic treatments.*** Prayer: In excess of \$10,000 compensatory damages; ***in excess of \$10,000 punitive damages (per D); plus \$2,837 medical expenses (per P).*** ***Plntf made a pretrial demand of \$5,400 (per P) or \$4,500, plus costs (per D) - Dfnt offered \$4,500 (per P) or made a \$5,500 offer of judgment (per D) (P & D).*** (Carrier: American Access Casualty Insurance.) ***During closing arguments, Plntf's counsel asked jury to award Plntf \$11,837. Defense counsel suggested \$650 for pain and suffering, and an appropriate reduction to Plntf's medical expenses, was adequate compensation.*** One day trial. By stipulation, four jurors deliberated. Jury out ***two-plus*** hours. AWARDED PLNTF \$9,337 COMPENSATORY DAMAGES (REPRESENTING \$2,837 FOR MEDICAL EXPENSES AND \$6,500 FOR PAIN AND SUFFERING). ***(Post-trial, Dfnt filed motion for new trial.)***

12/2/11 - pro tem Judge BRIAN K. BERMAN - CV
A596712 - AMEZQUITA (Darren J. Lach of
Fredrickson, Mazeika & Grant) v HOLLAND
(Byron F.L. Browne of McCormick, Barstow,
Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL
INJURY - REAREND - FREEWAY MISHAP.

**Case being tried on Dfnt's appeal of Plntf's \$7,160
arbitration award.**

Case also being tried as a
Shorttrial. Plntf, male, age 50, a Nevada resident,
employed as a valet, operating a 1990 Chevrolet
C1500 truck, alleged that, while travelling
northbound on Interstate 15, in the number four
travel lane, near the Charleston Boulevard off-ramp,
he slowed for traffic, and was rear-ended by Dfnt,
male, a Nevada resident, employed as a radiology
assistant, who was operating a 2001 Chevrolet
Tahoe. Dfnt called Billy S. Cox, Jr., a biomechanical
engineer. Plntf alleged he sustained cervical,
thoracic, and lumbar soft tissue injuries. Dfnt argued
Plntf was not injured. Prayer: In excess of \$10,000
compensatory damages; \$6,427.25 medical expenses
(D). (Carrier: ANPAC.) During closing arguments,
Plntf's counsel asked jury to award Plntf in excess of
\$7,160. Defense counsel argued Plntf was not
injured. One day trial. By stipulation, four jurors
deliberated. Jury out two hours. FOUND FOR
DFNT.

12/2/11 - pro tem Judge DAVID W. HUSTON - CV A571110 - MASTRAPA (Adam S. Kutner, a sole practitioner; and Victor M. Cardoza, Jr., of Law Offices of Fassett & Cardoza) v SIMMONDS and MAHAN (Allen M. Young of David L. Riddle & Associates) - PERSONAL INJURY - REAREND - NEGLIGENT ENTRUSTMENT. Case being tried on Dfnt's appeal of Plntf's \$24,000 arbitration award. Case also being tried as a Shorttrial. Plntf, female, a Nevada resident, was passenger in a 2005 Honda Pilot, operated by non-party Torres, travelling westbound on Sahara Avenue, in the right turn lane, at its intersection with Las Vegas Boulevard. Plntf alleged that, as non-party Torres stopped for pedestrians in the intersection, Plntf's vehicle was rear-ended by Dfnt Simmonds, female, a Nevada resident, who was operating a 1990 Dodge Dakota, owned by Dfnt Mahan, male, a Nevada visitor. Plntf also alleged Dfnt Mahan negligently entrusted his vehicle to Dfnt Simmonds. Plntf sustained unspecified injuries. Prayer: In excess of \$10,000 compensatory damages; plus \$24,000 medical expenses. Plntf made a pretrial demand of \$24,000 - Dfnt offered \$500 (P Cardoza). (Carrier: Farmers Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$24,000. Defense counsel argued impact was minor, and Plntf should take nothing. One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$24,213 COMPENSATORY DAMAGES. (Post-trial, Court awarded Plntf \$8,000 in costs and pre-judgment interest.)

12/16/11 - pro tem Judge CRAIG A. HOPPE - CV A609507 - DONNELLY (Andrew M. Leavitt of Law Offices of Andrew M. Leavitt) v BOREN (Michelle L. Anderton of Arneson & Associates) - PERSONAL INJURY - REAREND. Case being tried on Plntf's appeal of a \$14,135.06 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 46, a Nevada resident, employed as a cocktail waitress, was operating a 2004 Hyundai Santa Fe, travelling southbound on Green Valley Parkway, approaching the intersection of Briargate Place, in Henderson, Nevada. Plntf alleged that, prior to executing a right turn into her apartment complex, as she slowed for a pedestrian, she was rear-ended by Dfnt, who was operating a 2008 Jeep Wrangler. Dfnt, male, age 37, a Nevada resident, employed as a school teacher, admitted negligence, but argued causation. Plntf alleged she sustained injuries to the cervical spine, which will require future surgery. Plntf used the medical report of Debra Nelson, M.D., a neurosurgeon. Dfnt argued Plntf's complaints were related to her preexistent condition. Prayer: In excess of \$10,000 compensatory damages; \$6,597.06 medical expenses; plus \$3,038 lost wages. Dfnt made a \$22,000 pretrial offer of judgment (P). (Carrier: AAA California State Automobile Association). During closing arguments, Plntf's counsel asked jury to award Plntf \$120,000. Defense counsel suggested that a nominal amount was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out two hours. AWARDED PLNTF \$120,000 COMPENSATORY DAMAGES (REPRESENTING \$20,000 PAST DAMAGES AND \$100,000 FUTURE DAMAGES). (Pursuant to Shorttrial rules, Plntf's award reduced to \$50,000.)

12/16/11 - pro tem Judge JOHN H. WRIGHT - CV 610549 - JOHNSTON (Marcus A. Berg of Henness & Haight) v MENESES (Keith B. Gibson of Nevada General Insurance Company) - PERSONAL INJURY - REAREND - DRIVE-THROUGH LANE MISHAP. Case being tried on Dfnt's appeal of Plntf's \$6,800 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 27, a Nevada resident, employed as an office manager, alleged that, while stopped in the drive-through lane at Starbucks, she was rear-ended by Dfnt. Plntf also alleged Dfnt was inattentive and distracted by her telephone and a nearby golf course, and pressed the gas pedal instead of the brake pedal. Dfnt, female, age 19, a Nevada resident and student, admitted negligence, but argued causation. Dfnt alleged she was distracted momentarily by construction on a nearby golf course, and her foot slipped off the brake pedal. Dfnt also alleged her vehicle "tapped" Plntf's vehicle, causing only \$259.39 in damage, and Plntf was not injured. Dfnt used the report of David M. Sonne, P.E., an accident reconstructionist and civil engineer, who was of the opinion that Dfnt was travelling between four-and-one-half and five miles-per-hour at the time of impact. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries, with secondary headaches; plus an injury to the shoulder. Plntf called Eric J. Homa, D.C., who was of the opinion that Plntf's injuries and treatment were causally related. Dfnt used the medical report of Anthony B. Serfustini, M.D., an orthopod, who was of the opinion that it was highly unlikely that Plntf sustained any type of musculoskeletal injury. It was also Dr. Serfustini's opinion that the chiropractic treatment administered was superfluous and unnecessary, and did not meet evidence-based clinical practice guidelines. Prayer: In excess of \$10,000 compensatory damages; plus \$6,568.49 medical expenses. Plntf made a pretrial demand of \$6,800 - Dfnt made a \$1,603.28 offer of judgment (P). (Carrier: Nevada General Insurance.) One day trial. Jury out one hour. AWARDED PLNTF \$2,000 COMPENSATORY DAMAGES. (Post-trial, Court awarded Plntf \$3,000 for attorney's fees, \$3,152.43 in costs, and \$180.58 in interest.)

12/30/11 - pro tem Judge PAT J. FITZGIBBONS - CV A609869 - BARNES (Robert E. Marshall, a sole practitioner) v ROYER (Byron F.L. Browne of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$6,011 arbitration award. Case also being tried as a Shorttrial. Plntf, female, a Nevada resident, an office worker, operating a 2003 Honda, alleged that, while stopped for a traffic signal, southbound on Martin Luther King Boulevard, near its intersection with Carey Avenue, she was rear-ended by Dfnt. Dfnt, female, a Nevada resident, employed as an entertainer, admitted negligence, but argued causation. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf used the medical report of Joseph Stewart, D.C. Dfnt argued Plntf had a significant gap in her medical treatment. Prayer: In excess of \$10,000 compensatory damages; plus \$3,411 medical expenses. Dfnt made a \$2,500 pretrial offer of judgment (D). (Carrier: ANPAC.) During closing arguments, Plntf's counsel asked jury to award Plntf \$6,011. Defense counsel argued Plntf was not injured. In the alternate, defense counsel suggested \$1,369 for medical expenses was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$1,369 COMPENSATORY DAMAGES.

12/23/11 - pro tem Judge ALAN L. SACHS - CV A615712 - REYES-LOPEZ (David M. Moore of Edward M. Bernstein & Associates) v PEREZ (Martina L. Jaccarino of David L. Riddle & Associates) - PERSONAL INJURY - REAREND.

Case being tried on Dfnt's appeal of Plntf's \$9,842 arbitration award.

Case also being tried as a Shorttrial. Plntf, female, age 40, a Nevada resident, employed as a maid, alleged that, while she was stopped at the traffic signal, on Koval Lane, waiting to execute a turn onto Tropicana Avenue, she was rear-ended by Dfnt. Dfnt, male, age 28, a Nevada resident, admitted negligence. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries; plus an injury to the left shoulder. Plntf used the medical reports of Gary M. Cheney, D.C.; and Henry H. Wang, M.D., an internist; both of whom were of the opinion that Plntf's injuries were causally related. Dfnt used the report of Curtis W. Poindexter, M.D., a physiatrist, who was of the opinion that Plntf was not injured, based on the photographs of the vehicles. Prayer: In excess of \$10,000 compensatory damages; \$6,300 medical expenses; plus \$567.60 lost wages. Plntf made a pretrial demand of \$19,000 - Dfnt offered \$1,850 (P). (Carrier: Farmers Insurance.) During closing arguments, Plntf's counsel argued Plntf's treatment was reasonable and causally related. Defense counsel argued there was minimal property damage to the vehicles, and Plntf was not injured. One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARD PLNTF \$8,002.80 COMPENSATORY DAMAGES.

Following is some additional information about a trial previously reported in the December 2011 issue of THE TRIAL REPORTER of Nevada. The additional information is in bold italic type.

11/18/11 - pro tem Judge JOHN W. BOYER - CV A610007 - VEASLEY (Brandy L. Brown of Kung & Associates) v DeRAMIREZ (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - REAREND. *Case being tried on Dfnt's appeal of Plntf's \$9,978 arbitration award.* Case also being tried as a Shorttrial. Plntf, female, age 44, a Nevada resident, employed by FedEx, alleged she was rear-ended by Dfnt. Dfnt, female, **age 42**, a Nevada resident, **employed as a housekeeper**, admitted negligence, but argued causation. Plntf alleged she sustained cervical, thoracic, and lumbar strains and sprains. Plntf used the report of Kelly M. Campbell, R.P.T., who was of the opinion that Plntf's injuries were causally related. Dfnt argued impact was minor, and Plntf was not injured. Prayer: In excess of \$10,000 compensatory damages; \$4,382.17 medical expenses; plus \$2,500 lost wages. Plntf made a pretrial demand of \$9,000 - Dfnt offered \$750 *(per P) or Dfnt made a \$7,501 offer of judgment (per D) (P & D).* (Carrier: American Access Insurance.) *During closing arguments, Plntf's counsel asked jury to award Plntf in excess of \$18,000. Defense counsel asked jury to award Plntf a reasonable amount, if anything at all.* One day trial. By stipulation, four jurors deliberated. Jury out **less than one hour.** AWARDED PLNTF \$6,000 COMPENSATORY DAMAGES.

Following is some additional information about a trial previously reported in the December 2011 issue of THE TRIAL REPORTER of Nevada. The additional information is in bold italic type.

11/4/11 - pro tem Judge KELLY H. SWANSON - CV A616590 - ZAVALA (Kurtis J. Millington of Glen J. Lerner & Associates) v MONARREZ (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - PERSONAL INJURY - ***REAREND. Case being tried on Dfnt's appeal of Plntf's \$19,762.07 arbitration award.*** Case also being tried as a Shorttrial. Plntf, *in his forties*, alleged *he was rear-ended by Dfnt. Dfnt, male, age 32, employed as a casino employee, admitted negligence, but argued causation. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf used the medical report of Gary J. LaTourette, M.D., an orthopod. Dfnt argued Plntf was not injured, based on surveillance film.* Prayer: In excess of \$10,000 compensatory damages; plus *in excess of \$24,000* medical expenses. (Carrier: American Access Casualty Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$24,500 COMPENSATORY DAMAGES (REPRESENTING \$17,000 FOR MEDICAL EXPENSES, \$5,000 FOR PAST PAIN AND SUFFERING, AND \$2,500 FOR FUTURE PAIN AND SUFFERING).

1/12/12 - pro tem Judge JAMES G. ARMSTRONG -
CV A611500 - VILLAMOR (Marcus A. Berg of
Henness & Haight) v WRIGHT (Steven M. Rogers
of David L. Riddle & Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's
appeal of Plntf's \$10,500 arbitration award. Case
also being tried as a Shorttrial. Plntf, male, age 29, a
Nevada resident, employed as an accountant, alleged
that, while stopped, preparatory to executing a right
turn at the intersection of Charleston Boulevard and
Town Center Drive, he was rear-ended by Dfnt.
Dfnt, male, age 45, a Nevada resident, admitted
negligence, but argued causation. Dfnt alleged he
moved up less than one vehicle length and "tapped"
Plntf's vehicle at a very low rate of speed. Dfnt also
argued that the property damage to the vehicles was
minimal and Plntf's bumper took the brunt of the
impact. Plntf alleged he sustained cervical, thoracic,
and lumbar soft issue injuries, with secondary
headaches; plus an injury to the shoulder. Plntf used
the medical report of Corey Wachs, D.C., who was of
the opinion that Plntf's injuries, as well as the
treatment administered, were causally related. Dfnt
argued Plntf was not injured. Prayer: In excess of
\$10,000 compensatory damages; plus \$5,116.80
medical expenses. Plntf made a pretrial demand of
\$10,500 - Dfnt made a \$5,457 offer of judgment (P).
(Carrier: Farmers Insurance.) One day trial. By
stipulation, four jurors deliberated. Jury out two
hours. AWARD \$8,000
PLNTF COMPENSATORY DAMAGES.

1/20/12 - pro tem Judge BEVERLY J. SALHANICK
- CV A608166 - SANDOVAL (Michael A. McOsker
of Craig P. Kenny & Associates) v SARABIA
(Mercedes S. Menendez and Yianna C. Reizakis of
R.S. Associates) - PERSONAL INJURY -
REAREND. Case being tried on Dfnt's appeal of
Plntf's \$15,000 arbitration award. Case also being
tried as a Shorttrial. Plntf, male, age 48, a Nevada
resident, employed as a boxing promoter/trainer,
alleged he was rear-ended by Dfnt. Plntf also alleged
the impact propelled his vehicle into the vehicle in
front of him. Dfnt, male, age 21, admitted
negligence, but argued causation. Plntf alleged he
sustained cervical, thoracic, and lumbar soft tissue
injuries; plus an injury to the foot. Dfnt argued Plntf
was not injured. Prayer: In excess of \$10,000
compensatory damages; plus \$12,878.60 medical
expenses. Plntf made a pretrial demand of \$13,000 -
Dfnt offered \$5,000 (D Reizakis). (Carrier:
American Access Casualty Insurance.) DURING
FIRST DAY OF TRIAL, COURT DECLARED A
MISTRIAL. JURY EXCUSED.

1/27/12- pro tem Judge STEPHEN F. SMITH - CV A601185 - ZALESKI (Cliff W. Marcek, a sole practitioner) v SLINKER (Byron F.L. Browne of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$8,159 arbitration award. Case also being tried as a Shorttrial. Plntf, female, a Nevada resident, alleged that while stopped eastbound on Charleston Boulevard, she was rear-ended by Dfnt, who was operating a 1995 Cadillac Seville. Dfnt, male, admitted negligence, but argued causation. Plntf sustained unspecified injuries. Dfnt argued Plntf was not injured. Prayer: In excess of \$10,000 compensatory damages; plus an unspecified amount for medical expenses. Dfnt made a \$2,000 pretrial offer of judgment (D). (Carrier: ANPAC.) During closing arguments, Plntf's counsel asked jury to award Plntf \$8,159. Defense counsel argued Plntf was not injured. In the alternate, defense counsel suggested \$2,441 was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$2,441 COMPENSATORY DAMAGES.

2/3/12 - pro tem Judge BEVERLY J. SALHANICK - CV A608166B - SANDOVAL (Michael A. McOske of Craig P. Kenny & Associates) v SARABIA (Mercedes S. Menendez and Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - REAREND. *This is a retrial; first trial ended in a mistrial, on January 20, 2012, before pro tem Judge Beverly J. Salhanick. Case being tried on Dfnt's appeal of Plntf's \$15,000 arbitration award.* Case also being tried as a Shorttrial. Plntf, male, age 48, a Nevada resident, employed as a boxing promoter/trainer, alleged he was rear-ended by Dfnt. Plntf also alleged the impact propelled his vehicle into the vehicle in front of him. Dfnt, male, age 21, admitted negligence, but argued causation. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; plus an injury to the foot. Dfnt argued Plntf was not injured. Plntf used the medical reports of his treating physicians, all of whom were of the opinion that Plntf's injuries and treatment were causally related. Dfnt used the medical report of Anthony B. Serfustini, M.D., an orthoped, who was of the opinion that Plntf's treatment was excessive. Prayer: In excess of \$10,000 compensatory damages; plus \$12,878.60 medical expenses. Plntf made a pretrial demand of \$13,000 - Dfnt offered \$5,000 (D Reizakis). (Carrier: American Access Casualty Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$12,878.60 for medical expenses, plus \$2,000 to \$10,000 for pain and suffering. Defense counsel suggested \$2,179.50 for medical expenses, plus \$820.50 for pain and suffering, a total of \$3,000, was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. AWARDED PLNTF \$5,000 COMPENSATORY DAMAGES (REPRESENTING \$3,000 FOR MEDICAL EXPENSES AND \$2,000 FOR PAIN AND SUFFERING).

2/3/12 - pro tem Judge CHRISTOPHER R. McCULLOUGH - CV A601606 - KANE (William R. Brenske of Brenske & Christensen) v TAGLIAFERRI (Jonathan W. Carlson of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - AUTOMOTIVE MISHAP. Case being tried on Dfnt's appeal of Plntf's \$12,956.79 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 63, a Nevada resident, employed as a hotel show usher, alleged Dfnt negligently caused collision. Dfnt, female, a schoolteacher, admitted negligence, but argued causation. Plntf sustained unspecified injuries. Dfnt argued impact was minor and Plntf was not injured. Prayer: In excess of \$10,000 compensatory damages; plus \$5,350 medical expenses. Plntf made a pretrial demand of \$12,956.79 - Dfnt made a \$2,001 offer of judgment (P). (Carrier: Unknown.) One day trial. By stipulation, four jurors deliberated. Jury out fifteen minutes. AWARD \$13,850 PLNTF COMPENSATORY DAMAGES.

2/3/12 - pro tem Judge JOHN H. WRIGHT - CV A613325 - MARTINEZ-ESPINOZA and LOPEZ-PERAZA (Lewis J. Gazda of Gazda & Tadayon, Ltd.; and Chad M. Golightly of Law Offices of Chad M. Golightly) v KANTOR (Jared P. Green of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - REAREND - FREEWAY MISHAP. Case being tried on Dfnt's appeal of Plntf Martinez-Espinoza's \$19,500 arbitration award, and Plntf Lopez-Peraza's \$12,500 arbitration award. Case also being tried as a Shorttrial. Plntf Martinez-Espinoza, female, age 43, a Nevada resident, employed as a housekeeper, was operating a vehicle with passenger, Plntf Lopez-Peraza, male, age 37, also a Nevada resident, employed as a laborer. Plntfs alleged that, while travelling southbound on I-15, approximately five-hundred feet north of the southbound Sahara Avenue exit ramp, they were rear-ended by Dfnt. Dfnt, male, age 45, a Nevada resident, employed as a firefighter and emergency medical technician, denied liability. Plntfs alleged they sustained cervical, thoracic, and lumbar soft tissue injuries. Prayer: In excess of \$10,000 compensatory damages; plus an unspecified amount for medical expenses. (Carrier: ANPAC.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. FOUND FOR DFNT.

2/9/12 - pro tem Judge REBECCA L. MASTRANGELO - CV A609871 - CRAWLEY (Michael A. McOsker of Craig P. Kenny & Associates) v LEE (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - INTERSECTION - UNCONTROLLED - T-BONE MISHAP. Case being tried on Dfnt's appeal of Plntf's \$36,553.22 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 40, a Nevada resident, alleged Dfnt drove through an intersection and struck Plntf's vehicle. Dfnt, female, age 55, a Nevada resident, employed as a health care provider and psychiatric nurse, denied liability, advancing the defense that she was travelling straight when Plntf entered the intersection after Dfnt and T-boned Dfnt's vehicle. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; plus an injury to the shoulder. Prayer: In excess of \$10,000 compensatory damages; plus \$12,830.26 medical expenses. Plntf made a pretrial demand of \$14,000 - Dfnt refused to make an offer (D). (Carrier: American Access Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf his medical expenses, plus a fair and reasonable amount for pain and suffering. Defense counsel argued liability, and asked jury to award Dfnt \$6,392.75 for property damage and rental costs. One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. FOUND FOR DFNT, AND AWARDED DFNT \$0 COMPENSATORY DAMAGES.

2/23/12 - pro tem Judge KEVIN R. DIAMOND - CV A620489 - YOUNG (Michael A. McOske of Craig P. Kenny & Associates) v CHACON (Daniel E. Curriden of Arneson & Associates) - PERSONAL INJURY - INTERSECTION - CONTROLLED - TRAFFIC SIGNAL - LEFT TURN. Case being tried on Dfnt's appeal of Plntf's \$32,000 arbitration award. Case also being tried as a Shorttrial. Plntf, in his mid-fifties, a Nevada resident, employed as a short order cook, alleged Dfnt failed to yield the right-of-way when he negligently executed a left turn, on a green traffic signal, into Plntf's path, and caused collision. Dfnt, in his forties, a Nevada resident, employed as a carpenter, denied liability, advancing the defense that he had a green turn arrow, and Plntf ran red light. Plntf alleged he sustained cervical, thoracic, and lumbar strains and sprains, with residual lumber pain. Dfnt alleged Plntf's medical expenses were inflated. Prayer: In excess of \$10,000 compensatory damages; \$16,976 medical expenses; plus \$1,232 lost wages. Plntf made a pretrial demand of \$32,000 - Dfnt offered \$3,000 (D). (Carrier: AAA.) One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. FOUND FOR DFNT.

2/24/12 - pro tem Judge WILLIAM R. KILLIP, JR. -
CV A608821 - FLYNN (Anthony M. Paglia of Glen
J. Lerner & Associates) v FERNALD (Byron F.L.
Browne of McCormick, Barstow, Sheppard, Wayte
& Carruth, L.L.P.) - PERSONAL INJURY -
REAREND. Case being tried on Dfnt's appeal of
Plntf's \$15,000 arbitration award. Case also being
tried as a Shorttrial. Plntf, in her twenties, a Nevada
resident, alleged she was rear-ended by Dfnt. Dfnt,
male, a Nevada resident, admitted negligence, but
argued impact was minor. Plntf alleged she
sustained soft tissue injuries. Dfnt argued Plntf was
not injured. Prayer: In excess of \$10,000
compensatory damages; plus an unspecified amount
for medical expenses. Plntfs made a \$10,000 pretrial
offer of judgment (P). (Carrier: Unknown.) One day
trial. By stipulation, four jurors deliberated. Jury out
? hours. AWARDED PLNTF \$15,000
COMPENSATORY DAMAGES.

2/24/12 - pro tem Judge HOWARD ROITMAN - CV A589722 - STAMPS (Darren J. Lach of Fredrickson, Mazeika & Grant) v REYNOLDS (Mercedes S. Menendez and Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - INTERSECTION - CONTROLLED - TRAFFIC SIGNAL - LEFT TURN. Case being tried on Dfnt's appeal of Plntf Henry Stamps' \$22,000 arbitration award, and Plntf Diane Stamps' \$26,000 arbitration award. Case also being tried as a Shorttrial. Plntf Diane Stamps, female, a Nevada resident, was passenger in a 1986 Chevrolet Celebrity, which was operated by Plntf Henry Stamps, age 80, also a Nevada resident, travelling southbound on Las Vegas Boulevard, in the number two through travel lane. Plntfs alleged that, as they were crossing the intersection with Carey Avenue, oncoming Dfnt, operating a 1987 Suzuki Samurai, negligently executed a left turn into Plntfs' path, and caused collision. Dfnt, male, a Nevada resident, admitted negligence, but argued causation and damages. Plntf Henry Stamps alleged he sustained an injury to the lumbar spine. Plntf Diane Stamps alleged she sustained injuries to the spine and right knee. Plntfs called Steven A. Holper, M.D., a physiatrist. Dfnt used the report of Anthony B. Serfustini, M.D., an orthopod, who was of the opinion that Plntfs were overtreated. Plntf Henry Stamps' Prayer: In excess of \$10,000 compensatory damages; plus \$10,572.26 medical expenses. Plntf Diane Stamps' Prayer: In excess of \$10,000 compensatory damages; plus \$14,756.77 medical expenses. Plntfs made a pretrial demand of \$30,000 - Dfnt made a \$4,501 offer of judgment to Plntf Henry Stamps, and a \$7,501 offer of judgment to Plntf Diane Stamps (D Menendez). (Carrier: American Access Casualty Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF HENRY STAMPS \$10,000 COMPENSATORY DAMAGES, AND AWARDED PLNTF DIANE STAMPS \$12,000 COMPENSATORY DAMAGES.

2/24/12 - pro tem Judge BRIAN K. TERRY - CV A614354 - BURCH (Bryan A. Boyack of Richard Harris Law Firm) v PARK (Martina L. Jaccarino of David L. Riddle & Associates) - PERSONAL INJURY - REAREND. Case being tried on Plntf's appeal of a \$12,000 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 45, a Nevada visitor, owner/operator of a crane company, alleged that, while a passenger in a taxicab, which was travelling eastbound on Tropicana Avenue, near its intersection with Paradise Road, the taxicab was rear-ended by Dfnt, who was operating a 1999 Toyota pickup truck. Plntf also alleged the impact propelled the taxicab into the vehicle in front of it. Dfnt, male, a Nevada resident, admitted negligence, but argued causation. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries, with a bulging disk; plus an injury to the left shoulder. Plntf also alleged that, as a result of his injuries, he is unable to operate his crane or obtain future business, and his crane business was affected. Dfnt argued Plntf exaggerated the effect that his injuries had on his crane business. Dfnt also argued that the economy was the reason for Plntf's lost earnings. Prayer: In excess of \$10,000 compensatory damages; \$4,000 medical expenses; plus \$108,000 lost earnings. Plntf made a pretrial demand of \$50,000 - Dfnt offered \$10,500 (P). (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$128,209.51 COMPENSATORY DAMAGES (REPRESENTING \$4,209.51 MEDICAL EXPENSES, \$89,000 LOST EARNINGS, AND \$35,000 FOR PAIN AND SUFFERING).

2/27/12 - pro tem Judge ROBERT L. EISENBERG - CV 11-00358 - CARRILLO, as Guardian Ad Litem for CARRANZA-CARRIL (Curtis B. Coulter and Paige Finn Taylor of Law Offices of Curtis B. Coulter) v CARRILLO (Brent H. Harsh of David L. Riddle & Associates) - PERSONAL INJURY - SINGLE-VEHICLE MISHAP - ICE. Case being tried on Dfnt's appeal of Plntf Carranza-Carril's \$10,473 arbitration award. Case also being tried as a Shorttrial. Plntf Carranza-Carril, female, age 6, a student, was rear seat passenger in Dfnt mother's vehicle. Plntf aunt alleged that, while travelling on ice, Dfnt mother lost control of the vehicle, and struck a pole. Plntf aunt alleged Plntf Carranza-Carril sustained cervical, thoracic, and lumbar soft tissue injuries, with secondary headaches and dizziness; plus an injury to the knee. Plntf aunt used the medical report of Jeffrey Burres, D.C., who was of the opinion that all of Plntf Carranza-Carril's medical expenses were causally related. Dfnt argued Plntf Carranza-Carril's medical expenses were unreasonable and unrelated. Dfnt used the medical report of William R. Ford, Jr., M.D., an orthoped, who was of the opinion that only the expense for Plntf Carranza-Carril's emergency department visit was reasonable and causally related. Prayer: In excess of \$10,000 compensatory damages; plus \$4,473 medical expenses. Plntfs made a pretrial demand of \$10,473 - Dfnt made a \$6,742 offer of judgment (D). (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. FOUND FOR DFNT.

3/9/12 - pro tem Judge VICTOR L. MILLER - CV
A611130 - WILLIAMS (Justin L. Wilson of Royal,
Jones, Miles, Dunkley & Wilson) v WINN (Nickolas
A. Amon of Gannon & Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's
appeal of Plntf's \$10,500 arbitration award. Case
also being tried as a Shorttrial. Plntf, female, age 24,
a Nevada resident, alleged she was rear-ended by
Dfnt. Dfnt, female, age 21, a Nevada resident,
admitted negligence, but argued causation. Plntf
alleged she sustained cervical, thoracic, and lumbar
soft tissue injuries. Plntf used the medical report of
Mark Mylan, D.C. Dfnt argued impact was minor,
with no property damage, and Plntf was not injured.
Prayer: In excess of \$10,000 compensatory damages;
plus \$6,550 medical expenses. Plntf made a pretrial
demand of \$10,500 - Dfnt refused to make an offer
(P). (Carrier: Allstate Insurance.) During closing
arguments, Plntf's counsel asked jury to award Plntf
\$15,000. Defense counsel argued causation. One
day trial. By stipulation, four jurors deliberated.
Jury out one hour. AWARDED PLNTF \$10,500
COMPENSATORY DAMAGES.

3/16/12 - pro tem Judge WILLIAM S. SKUPA - CV
A618848 - SMITH (pro se) v RODRIGUEZ
(Mercedes S. Menendez of R.S. Associates) -
PERSONAL INJURY - REAREND. Case being
tried on Dfnt's appeal of Plntf's \$19,000 arbitration
award. Case also being tried as a Shorttrial. Plntf,
male, a Nevada resident, employed in the security
industry, alleged he was rear-ended by Dfnt. Dfnt,
male, a Nevada resident, admitted negligence, but
argued causation. Plntf alleged he sustained an
injury to the lumbar spine. Plntf used the medical
records of his treating physicians. Dfnt argued Plntf
had made complaints of lumbar pain prior to the
accident. Prayer: In excess of \$10,000 compensatory
damages; plus \$4,636 medical expenses. Plntf made
a pretrial demand of \$19,000 - Dfnt made a \$2,000
offer of judgment (D). (Carrier: American Access
Insurance.) One day trial. By stipulation, four jurors
deliberated. Jury out one hour. AWARDED PLNTF
\$600 COMPENSATORY DAMAGES.

3/12/12 - pro tem Judge DOUGLAS KEITH FERMOILE - CV 11-00158 - GRAY (William R. Kendall, a sole practitioner) v DRAKULICH (Brent H. Harsh of David L. Riddle & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$30,302 arbitration award (representing \$10,302 medical expenses and \$20,000 for pain and suffering). Case also being tried as a Shorttrial. Plntf, female, age 47, a Nevada resident, employed as a vision center manager/optician, alleged she was rear-ended by Dfnt. Dfnt, male, age 50, a Nevada resident, employed as a real estate agent, admitted negligence, but argued causation. Plntf alleged she sustained a cervical strain and sprain, with secondary headaches; plus a facet joint injury. Plntf used the medical records of Newton G. Yco, D.O., a family practitioner; Robert G. Berry, Jr., M.D., a physiatrist; and Gerald Edwards, D.C. Dfnt argued impact was minor and Plntf was not injured. Dfnt also argued that the majority of Plntf's medical expenses were not causally related. Prayer: In excess of \$10,000 compensatory damages; plus \$11,215.58 medical expenses. Plntf made a pretrial demand of \$30,302 (per P) or \$27,000 (per D) - Dfnt offered \$11,223 (P & D). (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARD PLNTF \$11,500 COMPENSATORY DAMAGES.

4/6/12 - pro tem Judge MICHAEL C. MILLS - CV A599005 - McKAY (Robert M. Ebinger, a sole practitioner) v PLEITEZ (Damon A. Schuetze of Schuetze & McGaha, P.C.) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$7,000 arbitration award. Case also being tried as a Shorttrial. Plntf, female, a Nevada resident, alleged she was a passenger in a vehicle that was rear-ended by Dfnt. Dfnt, male, a Nevada resident, who did not appear at trial, denied liability, advancing the defense that Plntf participated in a scheme with her driver to stage a fake accident. Court granted Plntf's motion for summary judgment on the issue of liability. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf used the medical reports of her treating physicians. Prayer: In excess of \$10,000 compensatory damages; plus \$6,500 medical expenses. Plntf made a pretrial demand of \$7,000 - Dfnt offered \$5,000 (D). (Carrier: American Family Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out thirty minutes. FOUND FOR DFNT.

4/13/12 - pro tem Judge EDWARD R. "RANDY" MILEY - CV A622300 - CASCIO (Lucien A. Cravens, a sole practitioner) v REDFERN (Randall W. "Randy" Tindall of David L. Riddle & Associates) - PERSONAL INJURY - REAREND - FREEWAY ON-RAMP. Case being tried on Dfnt's appeal of Plntf's \$34,885 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 28, a Nevada resident, employed as a customer service representative, was operating a 1999 Toyota Camry. Plntf, who was travelling northbound on Pecos Road, alleged that, while stopped for traffic turning right onto the I-215 east on-ramp, she was rear-ended by Dfnt, who was operating a 2005 Saturn ION. Dfnt, female, age 21, a Nevada resident and student, admitted negligence, but argued causation. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries; plus an injury to the shoulder. Prayer: In excess of \$10,000 compensatory damages; \$17,249.94 medical expenses; plus \$2,755 lost wages. Plntf made a pretrial demand of \$60,000 - Dfnt made a \$20,000 offer of judgment. (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF \$4,000 COMPENSATORY DAMAGES (REPRESENTING \$3,000 MEDICAL EXPENSES AND \$1,000 FOR PAIN AND SUFFERING).

4/19/12 - pro tem Judge RONALD J. ISRAEL - CV
A625405 - McPHERSON (Robert E. Marshall, a sole
practitioner) v DIMARTINI (Allen M. Young of
David L. Riddle & Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's
appeal of Plntf's \$6,860 arbitration award. Case
also being tried as a Shorttrial. Plntf, in his fifties, a
Nevada resident, employed as a boxing promoter,
alleged Dfnt negligently caused collision. Dfnt, in
her late twenties, a Nevada resident, employed as an
insurance administrator, denied liability. Plntf
alleged he sustained cervical, thoracic, and lumbar
soft tissue injuries. Plntf used the medical report of
Eric Easton, D.C. Prayer: In excess of \$10,000
compensatory damages; plus \$3,369 medical
expenses. Plntf made a pretrial demand of \$6,860 -
Dfnt refused to make an offer (D). (Carrier: Farmers
Insurance.) During closing arguments, Plntf's
counsel asked jury to award Plntf \$15,000. Defense
counsel argued liability. One day trial. By
stipulation, four jurors deliberated. Jury out ? hours.
FOUND FOR DFNT.

4/26/12- pro tem Judge LAURA M. PAYNE HUNT
- CV A620833 - GUEVARA-ALCANTAR and
ROCHA-SOTO (Joseph L. Benson, II, of Benson &
Bingham, L.L.C.) v ARMENDAREZ-RAMOS
(Yianna C. Reizakis of R.S. Associates) -
PERSONAL INJURY - INTERSECTION -
CONTROLLED - STOP SIGN - PROPERTY
DAMAGE. Case being tried on Dfnt's appeal of
Plntf Guevara-Alcantar's \$9,100 arbitration award,
and Plntf Rocha-Soto's \$12,000 arbitration award.

Case also being tried as a Shorttrial. Plntf Guevara-
Alcantar, male, age 36, and Plntf Rocha-Soto, male,
age 26, Nevada residents, employed as landscapers,
alleged Dfnt negligently ran a stop sign and caused
collision. Plntfs also alleged that their truck
sustained \$16,000 in damages. Dfnt, female, age 27,
a Nevada resident, admitted negligence, but argued
causation. Plntfs alleged they sustained cervical,
thoracic, and lumbar soft tissue injuries. Dfnt argued
Plntfs did not seek treatment until twenty-six days
post-accident, and their treatment was unrelated to
the instant accident. Plntf Guevara-Alcantar's
Prayer: In excess of \$10,000 compensatory damages;
plus \$5,009.45 medical expenses. Plntf Rocha-Soto's
Prayer: In excess of \$10,000 compensatory damages;
plus \$5,225.13 medical expenses. Each Plntf made a
pretrial demand of \$7,500 - Dfnt offered each Plntf
\$4,000. Plntf Guevara-Alcantar made a \$5,009.45
offer of judgment, and Plntf Rocha-Soto made a
\$5,225.13 offer of judgment - Dfnt refused to make
an offer (P). (Carrier: Access American Insurance.)
One day trial. By stipulation, four jurors deliberated.
Jury out twenty minutes. AWARDED PLNTF
GUEVARA-ALCANTAR \$10,009.45
COMPENSATORY DAMAGES, AND AWARDED
PLNTF ROCHA-SOTO \$10,484.26
COMPENSATORY DAMAGES.

4/27/12 - pro tem Judge LARRY C. JOHNS - CV A631361 - NEWTON-BURKS (Joseph L. Benson, II, of Benson & Bingham, L.L.C.) v REID (Jared P. Green of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - REAREND - FREEWAY MISHAP. Case being tried on Dfnts' appeal of Plntf's \$17,080.90 arbitration award. Case also being tried as a Shorttrial. Plntf, female, a Nevada resident, employed as a salesperson, alleged that, while travelling on the freeway, she was rear-ended by Dfnt, who was travelling fifty miles-per hour. Dfnt, male, age 86, a retired Nevada resident, admitted negligence, but argued damages. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf used the medical report of Steven A. Holper, M.D., a physiatrist. Dfnt argued Plntf failed to follow her physician's orders. Dfnt used the medical report of Richard M. Dix, M.D., an orthopod, who was of the opinion that Plntf probably had been injured in the accident. Prayer: In excess of \$10,000 compensatory damages; \$7,500 medical expenses; plus \$7,500 lost wages. Plntf made a pretrial demand of \$23,000 - Dfnt made a \$15,000 offer of judgment (D). (Carrier: AAA.) During closing arguments, Plntf's counsel asked jury to award Plntf \$30,000. Defense counsel argued Plntf's damages should be reduced. One day trial. By stipulation, four jurors deliberated. Jury out one-plus hours. AWARDED PLNTF \$973 COMPENSATORY DAMAGES.

5/4/12 - pro tem Judge LANSFORD WILLIAM LEVITT - CV A621597 - ARMSTRONG (Lucien A. Cravens, a sole practitioner) v MILLFIN (Randa R. Shea of Patton, Shea & Kiraly) - PERSONAL INJURY - MOTORCYCLE MISHAP. Case being tried on Dfnt's appeal of Plntf's \$45,000 arbitration award. Case also being tried as a Shorttrial. Additionally, case being tried on comparative fault. Plntf, male, age 37, a Nevada resident, a member of the U.S. Air Force, was operating a motorcycle, travelling southbound on Highway 160, in the number one travel lane. Plntf alleged Dfnt, operating a 1999 Toyota Tacoma, also southbound, in the number two travel lane, was weaving in and out of traffic, without using her directional signals. Plntf also alleged Dfnt's reckless driving caused him to crash his motorcycle, and propelled him over the front of the motorcycle, into jagged rocks placed in the median. Additionally, Plntf alleged he proceeded to tumble, striking the ground at least four times. Dfnt, in her late thirties, a Nevada resident, denied liability. In the alternate, Dfnt argued Plntf was comparatively at fault. Plntf alleged he sustained a posterior subluxation of the distal clavicle, which required surgical repair of the acromioclavicular joint, with a residual permanent bony protrusion on the left shoulder. Plntf also alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; plus epidermal injuries, including "road rash" and bruising. Additionally, Plntf alleged he has residual severe lumbar and shoulder pain. Prayer: In excess of \$10,000 compensatory damages; plus \$17,371.75 medical expenses (P). (Carrier: State Farm Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$80,000 COMPENSATORY DAMAGES (REPRESENTING \$24,000 MEDICAL EXPENSES, \$51,000 PAST PAIN AND SUFFERING, AND \$5,000 FUTURE PAIN AND SUFFERING). (Found Plntf to be ten percent at fault and Dfnt to be ninety percent at fault; therefore, Plntf's award to be reduced to \$72,000.) (Post-trial, Court granted Plntf's motion for \$3,000 in attorney's fees, plus costs and interest, for a total of \$61,051.)

5/10/12 - pro tem Judge GEORGE E. CROMER -
CV A601497 - VARGAS (Samuel R. Mirkovich of
Nettles Law Firm) v IXIN-PEREZ (Mercedes S.
Menendez of R.S. Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's
appeal of Plntf's \$16,930 arbitration award. Case
also being tried as a Shorttrial. Plntf, female, age 22,
a Nevada resident and student, alleged she was rear-
ended by Dfnt. Dfnt, male, admitted negligence, but
argued causation. Plntf alleged she sustained
cervical, thoracic, and lumbar soft tissue injuries;
plus an injury to the left shoulder. Dfnt argued Plntf
was not injured. Prayer: In excess of \$10,000
compensatory damages; plus \$8,785.67 medical
expenses. Plntf made a \$7,999 pretrial offer of
judgment - Dfnt made a \$3,001 offer of judgment
(P). (Carrier: American Access Insurance.) One day
trial. By stipulation, four jurors deliberated. Jury out
thirty minutes. AWARDED PLNTF \$18,786
COMPENSATORY DAMAGES.

5/24/12 - pro tem Judge KELLY H. SWANSON -
CV A614518 - LEON (Orlando DeCastroverde of
DeCastroverde Law Group) v PALMERIN (Yianna
C. Reizakis of R.S. Associates) - PERSONAL
INJURY - REAREND. Case being tried on Dfnt's
appeal of Plntfs' arbitration award. Case also being
tried as a Shorttrial. Plntf husband was operating a
vehicle with passenger, Plntf wife, travelling
southbound on Pecos Road. Plntfs, Nevada
residents, alleged that, as they were stopped for
traffic at Dillon Avenue, they were rear-ended by
Dfnt. Dfnt, female, a Nevada resident, admitted
negligence, but argued causation. Plntfs sustained
unspecified injuries. Prayer: In excess of \$10,000
compensatory damages; plus an unspecified amount
for medical expenses. (Carrier: American Access
Casualty Insurance.) One day trial. By stipulation,
four jurors deliberated. Jury out ? hours. FOUND
FOR DFNT.

5/31/12 - Judge KENNETH C. CORY - CV
A598601 - BROOKS (pro se) v CARNEY (Samuel
B. Benham of Law Offices of Katherine M. Barker) -
PERSONAL INJURY - LANE CHANGE -
SIDESWIPE MISHAP. Case being tried on Plntf's
appeal of a \$3,424 arbitration award. Plntf, female,
age 43, an unemployed Nevada resident, alleged that,
while stopped for a traffic signal, Dfnt negligently
executed a lane change into the travel lane next to
Plntf's vehicle, and sideswiped Plntf's vehicle. Dfnt,
female, age 32, a Nevada resident and homemaker,
admitted negligence, but argued causation. Plntf
alleged she sustained cervical, thoracic, and lumbar
soft tissue injuries; plus injuries to the shoulder and
hip. Plntf also alleged she has ongoing residual pain.
Dfnt argued that Dfnt's outside mirror only scraped
the driver's side of Plntf's vehicle, and Plntf was not
injured. Prayer: In excess of \$10,000 compensatory
damages; \$2,483 medical expenses; \$6,697 lost
wages; plus \$2,396.39 property damage. Dfnt made
a \$4,501 pretrial offer of judgment (D). (Carrier:
GEICO.) Two day trial. Jury out one-plus hours.
AWARDED PLNTF \$0 COMPENSATORY
DAMAGES.

5/17/12 - pro tem Judge BRIAN K. BERMAN - CV A612662 - CORTEZ (Victor M. Cardoza, Jr., of Law Offices of Fassett & Cardoza; and Adam S. Kutner, a sole practitioner) v THOMAS (Jonathan W. Carlson of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - FAILURE TO YIELD RIGHT-OF-WAY - SIDESWIPE MISHAP. Case being tried on Dfnt's appeal of Plntf's \$7,055 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 35, a Nevada resident, employed as a sanitation engineer, alleged Dfnt failed to yield the right-of-way as she exited a parking garage and sideswiped Plntf's vehicle. Dfnt, female, age 40, a Nevada resident, employed as a surgeon's assistant, argued Plntf was comparatively negligent when he switched lanes and struck Dfnt's vehicle, after she had established her lane of travel. Plntf alleged he sustained cervical, thoracic, and lumbar strains and sprains; plus an injury to the lower left leg. Plntf planned to call his treating physician, Arthur Rossi, Jr., D.C., who was of the opinion that Plntf sustained cervical, thoracic, and lumbar strains and sprains. Plntf also planned to call his treating physician, Enrico Fazzini, D.O., Ph.D., a neurologist, of Great Neck, New York, who was of the opinion that Plntf had suffered moderately severe denervation and was moderately disabled as a result. Dfnt argued the accident was minor and Plntf was not injured. Dfnt planned to call Eugene L. Appel, M.D., a trauma surgeon, of San Diego, California, who was of the opinion that the accident necessitated little to no treatment by Plntf. Prayer: In excess of \$10,000 compensatory damages; plus \$8,608 medical expenses. Plntf made a pretrial demand of \$7,055 - Dfnt offered \$5,644 (D). (Carrier: Infinity Property and Casualty Insurance.) ON THE EVENING BEFORE TRIAL, MATTER SETTLED FOR A WAIVER OF FEES AND COSTS BY DFNT.

6/1/12 - pro tem Judge BRUCE L. GALE - CV A619790 - NEU (Jeffrey D. Andrews, of Andrews Law Firm, L.L.C.) v SALDIVAR (Mercedes S. Menendez and Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - REAREND.

Case being tried on Dfnt's appeal of Plntf's \$5,700 arbitration award.

Case also being tried as a Shorttrial. Plntf, male, age 76, a retired Nevada resident, was passenger in a 2008 Hyundai Sonata GLS, westbound on Desert Inn Road, near the intersection with Oneida Way. Plntf alleged that, while stopped at the intersection, his vehicle was rear-ended by Dfnt, who was operating a 2004 Toyota 4Runner sport utility vehicle. Dfnt, female, age 48, a Nevada resident, employed as a housekeeper, admitted negligence, but argued damages. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries, which required chiropractic treatment for six months. Dfnt argued Plntf's treatment and medical expenses were unreasonable. Prayer: In excess of \$10,000 compensatory damages; plus \$2,860 medical expenses. Plntf made a pretrial demand of \$9,000 - Dfnt made a \$3,000 offer of judgment (D). (Carrier: American Access Casualty Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out thirty minutes.

AWARDED PLNTF \$3,360
COMPENSATORY DAMAGES (REPRESENTING
\$2,860 MEDICAL EXPENSES AND \$500 FOR
PAIN AND SUFFERING).

6/22/12 - pro tem Judge PETER M. ANGULO - CV A629753 - CHEN (Joshua L. Harmon of Harmon & Davies, P.C.) v PAYE (Michelle L. Anderton of Arneson & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$4,452.35 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 33, a casino dealer, alleged she was rear-ended by Dfnt. Dfnt, female, age 17, a Nevada resident and student, admitted negligence, but argued causation. Plntf alleged she sustained cervical and lumbar soft tissue injuries, with ongoing residual complaints. Plntf called Sonny Ho, D.C., who was of the opinion that Plntf's injuries were causally related. Dfnt argued impact was minor, with no mechanism for injury. Prayer: In excess of \$10,000 compensatory damages; plus \$2,350 medical expenses. Plntf made a \$5,000 pretrial offer of judgment - Dfnt made a \$2,001 offer of judgment (D). (Carrier: AAA.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF \$0 COMPENSATORY DAMAGES.

6/21/12 - pro tem Judge GEORLEN K. SPANGLER
- CV A617804 - TANNER (Orlando DeCastroverde
of DeCastroverde Law Group) v PACHECO
(Cinema I. Greenberg of American Family
Insurance) - PERSONAL INJURY - PRIVATE
DRIVE MISHAP. Case being tried on Dfnt's
appeal of Plntf's \$50,000 arbitration award, with a
finding that Plntf was fifty percent at fault and Dfnt
was fifty percent at fault. Case also being tried as a
Shorttrial. Plntf, male, age 24, a Nevada resident,
employed by a parcel shipping company, alleged
Dfnt negligently executed a right turn into Plntf's
path and caused collision. Plntf called the
investigating police officer. Dfnt, male, a Nevada
resident, denied liability, advancing the defense that
Plntf negligently attempted to pass Dfnt's vehicle on
the right. Plntf alleged he sustained thoracic and
lumbar strains and sprains. Plntf used the medical
reports of his treating physicians. Dfnt argued Plntf's
epidural injections and cervical treatment were
unnecessary. Dfnt called Gary S. Marrone, M.D., an
orthopod. Prayer: In excess of \$10,000
compensatory damages; plus \$17,210 medical
expenses. Plntf made a \$79,000 pretrial offer of
judgment - Dfnt refused to make an offer (P).
(Carrier: American Family Insurance.) During
closing arguments, Plntf's counsel asked jury to
award Plntf \$50,000. Defense counsel argued Plntf
was one-hundred percent at fault. One day trial. By
stipulation, four jurors deliberated. Jury out less than
one hour. FOUND FOR DFNT. (Found Plntf to be
fifty-one percent at fault and Dfnt to be forty-nine
percent at fault.)

6/22/12 - pro tem Judge DAVID LIEBRADER - CV
A628509 - ANDERSON (Adam S. Kutner, a sole
practitioner; and Victor M. Cardoza, Jr., of Law
Offices of Fassett & Cardoza) v LONG (Martina L.
Jaccarino of David L. Riddle & Associates) -
PERSONAL INJURY - RIGHT TURN MISHAP.
Case being tried on Dfnt's appeal of Plntf's
arbitration award. Case also being tried as a
Shortrial. Plntf, male, a Nevada resident, operating a
1991 Ford Escort, was travelling southbound on the
right side of Jeffreys Street. Plntf alleged Dfnt, who
was operating a 2004 Ford F-150 pickup truck,
travelling southbound on the left side of Jeffreys
Street, negligently executed a right turn into a private
parking lot, into Plntf's path, and caused collision.
Dfnt, male, a Nevada resident, denied liability. Plntf
sustained unspecified injuries. Prayer: In excess of
\$10,000 compensatory damages; plus an unspecified
amount for medical expenses. (Carrier: Farmers
Insurance.) One day trial. By stipulation, four jurors
deliberated. Jury out ? hours. FOUND FOR DFNT.

6/27/12 - pro tem Judge GEORGE MICHAEL C. RANALLI - CV A629592 - RIVERA (Steven J. Karen, a sole practitioner) v RIORDAN (Timothy J. Toth of Gannon & Associates) - PERSONAL INJURY - PEDESTRIAN MISHAP. Case being tried on Plntf's and Dfnt's appeals of Plntf's arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 43, alleged that, while seated on the curb, under the shade of a tree, facing the roadway, waiting for the bus, with her back to a parking lot, at the intersection of Sunset and Pecos roads, she was struck in the back by Dfnt, who was operating a 2003 Chevrolet Avalanche pickup truck. Dfnt, female, a Nevada resident, denied liability. Plntf alleged she sustained a bulging cervical disk at C-6, C-7; an annular tear and bulging lumbar disk at L-4, L-5; plus an annular tear at L-5, S-1. Plntf also alleged she has ongoing residual pain. Prayer: In excess of \$10,000 compensatory damages; plus \$16,915.32 medical expenses. (Carrier: Allstate Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. FOUND FOR DFNT.

6/29/12 - pro tem Judge CHRISTOPHER J. CURTIS
- CV A614934 - CRADER (Alissa C. Engler of
Justice Law Center) v MORGAN (Jonathan W.
Carlson of McCormick, Barstow, Sheppard, Wayte
& Carruth, L.L.P.) - PERSONAL INJURY -
REAREND. Case being tried on Dfnt's appeal of
Plntfs' \$15,417 arbitration award. Case also being
tried as a Shorttrial. Plntfs, husband and wife, in their
late thirties, Nevada residents, self-employed
operating a construction business, alleged that, while
stopped for a red traffic signal, they were rear-ended
by Dfnt. Dfnt, male, age 40, a Nevada resident,
employed as a construction superintendent, admitted
negligence, but argued causation. Plntfs alleged they
sustained cervical, thoracic, and lumbar strains and
sprains. Plntfs used the medical report of Matthew
L. Simpson, D.C., who was of the opinion that all of
Plntfs' treatment was reasonable, necessary, and
causally related. It was also Dr. Simpson's opinion
that even a minor accident can cause injuries. Dfnt
argued impact was minor and Plntfs were not injured.
Prayer: In excess of \$10,000 compensatory damages;
\$9,077 medical expenses; plus \$6,000 lost earnings.
Dfnt made a \$2,500 pretrial offer of settlement (D).
(Carrier: ANPAC Insurance.) One day trial. By
stipulation, four jurors deliberated. Jury out ? hours.
AWARDED PLNTF HUSBAND \$6,557
COMPENSATORY DAMAGES AND AWARDED
PLNTF WIFE \$2,520 COMPENSATORY
DAMAGES.

7/6/12 - pro tem Judge PAT J. FITZGIBBONS - CV A624959 - WALKER (Maria U. Estanislao of Gregory & Associates) v NEVADA YELLOW CAB CORPORATION and TEDLA (Tamer B. Botros of Yellow Checker Star Transportation) - PERSONAL INJURY - LANE CHANGE. Case being tried on Dfnts' appeal of Plntf's \$37,000 arbitration award.

Case also being tried on crossclaim. Additionally, Case being tried as a Shorttrial. Case also being tried on comparative fault. Plntf, male, age 42, a Nevada resident, alleged Dfnt Tedla, in his early forties, a Nevada resident, who was in the course and scope of his occupational duties, operating a taxicab for Dfnt Nevada Yellow Cab Corporation, negligently executed a lane change into Plntf's path, and caused Plntf to T-bone Dfnts' vehicle. Dfnts denied liability, advancing the defense that Plntf caused collision. Dfnts alleged Plntf had a .203 blood alcohol level at the time of the accident. Dfnts also alleged Plntf had been diagnosed with acute alcohol intoxication. Dfnts called Stephen Daniel McBride, M.D., an emergency medicine specialist, who testified that Plntf's severe intoxication and his observed behavior in the emergency department demonstrated Plntf's inability to safely operate a vehicle. It was Dr. McBride's opinion that the impairment of Plntf's motor skills precluded him from taking proper evasive measures to avoid the accident. Plntf alleged he sustained cervical, thoracic, and lumbar strains and sprains. Prayer: In excess of \$10,000 compensatory damages; \$13,559 medical expenses; \$3,212.16 lost wages; plus \$2,000 property damage. Dfnt made a \$7,500 pretrial offer of settlement (D). (Dfnts self-insured.) One day trial. By stipulation, four jurors deliberated. Jury out forty-five minutes. AWARDED PLNTF \$18,771.16 COMPENSATORY DAMAGES. (Found Plntf to be fifty percent at fault and Dfnts to be fifty percent at fault; therefore, Plntf's award to be reduced to \$9,385.58.)

7/12/12 - pro tem Judge JAMES G. ARMSTRONG -
CV A623225 - RICHARDSON (Michael Paul
Wood, a sole practitioner) v UTTZ (Anthony L.
Ashby of David L. Riddle & Associates) -
PERSONAL INJURY - LANE CHANGE -
MOTORCYCLE MISHAP. Case being tried on
Dfnt's appeal of Plntf's \$47,118.05 arbitration
award. Case also being tried as a Shorttrial.
Additionally, case being tried on comparative fault.
Plntf, male, age 55, a Nevada resident and
convention center employee, was operating a
motorcycle, travelling eastbound on Flamingo Road.
Plntf alleged eastbound Dfnt negligently crossed
three lanes of travel, into Plntf's path, which caused
Plntf to strike Dfnt's truck. Plntf also alleged the
impact caused his motorcycle to come to rest on top
of him. Dfnt, female, age 60, a retired Nevada
resident, argued Plntf was comparatively at fault.
Plntf alleged he sustained cervical, thoracic, and
lumbar soft tissue injuries; plus an injury to the
shoulder; with residual pain. Prayer: In excess of
\$10,000 compensatory damages; \$14,157.02 medical
expenses; \$13,512.81 lost wages; plus \$6,948.22
property damage. (Carrier: Farmers Insurance.) One
day trial. By stipulation, four jurors deliberated.
Jury out one-plus hours. AWARDED PLNTF
\$37,605.06 COMPENSATORY DAMAGES
(REPRESENTING \$14,157.02 MEDICAL
EXPENSES, \$7,595.33 LOST WAGES, \$5,852.71
PROPERTY DAMAGE, AND \$10,000 FOR PAIN
AND SUFFERING). (Found Dfnt to be one-hundred
percent at fault.)

7/12/12 - pro tem Judge KELLY H. SWANSON -
CV A618774 - BELLO (Lewis J. Gazda of Gazda &
Tadayon, Ltd.) v PINAPFEL (Timothy J. Toth of
Gannon & Associates) - PERSONAL INJURY -
SIDESWIPE. Case being tried on Dfnt's appeal of
Plntf's arbitration award. Case also being tried as a
Shortrial. Plntf, female, a Nevada resident, alleged
that, while travelling southbound on Valley View
Boulevard/US 95 off-ramp, Dfnt negligently
sideswiped Plntf's vehicle. Dfnt, male, a Nevada
resident, denied liability. Plntf sustained unspecified
injuries. Prayer: In excess of \$10,000 compensatory
damages; plus an unspecified amount for medical
expenses. (Carrier: Allstate Insurance.) One day
trial. By stipulation, four jurors deliberated. Jury out
? hours. FOUND FOR DFNT.

7/13/12 - pro tem Judge RALPH J. ROHAY - CV A637112 - MEJIA (Robert M. Ebinger, a sole practitioner) v COHEN (Martina L. Jaccarino of David L. Riddle & Associates) - PERSONAL INJURY - PRIVATE DRIVE/THOROUGHFARE - LEFT TURN. Case being tried on Dfnt's appeal of Plntf father's \$50,000 arbitration award, and Plntf daughter's \$2,598 arbitration award. Case also being tried as a Shorttrial. Plntf father, in his thirties, a Nevada resident, employed as an electrician, was operating a vehicle, with passenger, Plntf minor daughter, age 8, also a Nevada resident. Plntf father alleged that, while travelling northbound, in the left lane, Dfnt, in her seventies, a Nevada resident and hotel owner, exited the private drive of non-party Boulder Station, negligently executed a left turn into Plntfs' path, and caused collision. Plntf father alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; plus a herniated cervical disk with protrusion. Plntf father also alleged he has residual pain, which necessitate epidural injections. Plntf daughter alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntfs used the medical report of Henry H. Wang, M.D, an internist. Dfnt used the medical report of Curtis W. Poindexter, M.D., a physiatrist. Plntf father's Prayer: In excess of \$10,000 compensatory damages; plus \$22,000 medical expenses. Plntf daughter's Prayer: In excess of \$10,000 compensatory damages; plus \$1,100 medical expenses. (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one-plus hours. AWARDED PLNTF FATHER \$15,000 COMPENSATORY DAMAGES, AND AWARDED PLNTF MINOR DAUGHTER \$2,598 COMPENSATORY DAMAGES.

7/13/12 - pro tem Judge LANSFORD WILLIAM LEVITT - CV A627009 - STEVENS (Farhan R. Naqvi and Elizabeth E. Coleman of Personal Injury of Nevada) v JUNIOR (Jared P. Green of McCormick, Barstow, Sheppard, Wayte & Carruth, L.L.P.) - PERSONAL INJURY - MULTIPLE-VEHICLE REAREND. Case being tried on Dfnt's appeal of Plntf's \$37,500 arbitration award. Case

also being tried as a Shortrial. Additionally, case being tried on comparative fault. Plntf, female, age 52, a Nevada resident, employed as a medical assistant trainee, operating a 2007 Ford Focus, alleged that, while travelling westbound on Charleston Boulevard, she was rear-ended by Dfnt, who was operating a 1998 Ford Explorer. Plntf also alleged that the force of the impact propelled Plntf's vehicle into the vehicle in front of her. Dfnt, female, a Nevada resident, argued Plntf was comparatively at fault. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries; plus injuries to the left shoulder and hip, which required epidural injections. Prayer: In excess of \$10,000 compensatory damages; plus \$15,000 medical expenses. (Carrier: Infinity Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$33,449 COMPENSATORY DAMAGES (REPRESENTING \$13,449 MEDICAL EXPENSES AND \$20,000 FOR PAIN AND SUFFERING). (Found Plntf to be twenty-five percent at fault and Dfnt to be seventy-five percent at fault; therefore, Plntf's award to be reduced to \$25,086.75.)

7/20/12 - pro tem Judge PATRICK N. CHAPIN - CV A624969 - AGUIRRE (David M. Moore of Edward M. Bernstein & Associates) v ABARRO (Timothy J. Toth of Gannon & Associates) - PERSONAL INJURY - LANE CHANGE. Case being tried on Dfnt's appeal of Plntf's \$15,042.38 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 57, a Nevada resident, employed as a housekeeper, alleged Dfnt negligently executed a lane change and struck the front fender of Plntf's vehicle. Dfnt, male, a Nevada resident, admitted negligence, but argued causation. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf used the medical report of Arthur Rossi, Jr., D.C., who was of the opinion that Plntf's treatment was reasonable and necessary. Dfnt argued Plntf only sustained minor soft tissue injuries, which should have resolved within two months. Dfnt used the medical report of Curtis W. Poindexter, M.D., a physiatrist, who was of the opinion that Plntf's treatment was excessive. Prayer: In excess of \$10,000 compensatory damages; \$5,966 medical expenses; plus \$1,980.35 lost wages. Plntf made a \$15,042.38 pretrial demand - Dfnt made a \$3,700 offer of judgment (P). (Carrier: Allstate Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF \$11,952.38 COMPENSATORY DAMAGES.

7/20/12 - pro tem Judge JAN PAUL KOCH - CV A628225 - LI (Danny J. Lovell, a sole practitioner) v PAMPO (James W. Howard, Jr., of The Howard Law Firm) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$7,251.29 arbitration award. Case also being tried as a Shorttrial. Plntf, in his fifties, a Nevada resident, employed as a casino dealer, was operating a 2002 Toyota Camry, travelling eastbound on Spring Mountain Road. Plntf alleged that, while stopped for a yield sign at the intersection with southbound Interstate 15, he was rear-ended by Dfnt, who was operating a 2004 Saab Aero. Dfnt, in her thirties, a Nevada resident, employed as a dancer, admitted negligence, but argued causation. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Dfnt argued impact was minor and Plntf was not injured. Prayer: In excess of \$10,000 compensatory damages; \$6,018 medical expenses; plus \$829 lost wages. Dfnt made a \$1,001 pretrial offer of judgment (D). (Carrier: Progressive Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out twenty minutes. FOUND FOR DFNT.

Following is some additional information about a trial previously reported in the July 2012 issue of THE TRIAL REPORTER of Nevada. The additional information is in bold italic type.

6/14/12 - pro tem Judge WILLIAM S. SKUPA - CV A626562 - LIVINGSTON (Thomas J. Murphrey, a sole practitioner) v CAGAL (Yianna C. Reizakis and Mercedes S. Menendez of R.S. Associates) - PERSONAL INJURY - REAREND. ***Case being tried on Dfnt's appeal of Plntf's \$6,500 arbitration award.*** Case also being tried as a Shorttrial. Plntf, male, age 37, employed as a casino carpet cleaner (*per P*) or a porter (*per D*), alleged he was rear-ended by Dfnt. Dfnt, male, ***age 22***, admitted negligence, but argued causation. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. ***Plntf used the medical records of his treating physicians, Thongxay Southisene, D.C.; and Steven A. Holper, M.D., a physiatrist; both of whom were of the opinion that Plntf's injuries were causally related.*** Dfnt argued Plntf waited sixteen days before seeking medical treatment. Dfnt also argued Plntf's complaints were related to his preexistent condition, caused by prior automobile accidents which occurred within the two-year period prior to the instant accident. Prayer: In excess of \$10,000 compensatory damages; plus \$5,933 medical expenses. ***Dfnt made a \$3,001 pretrial offer of judgment (P & D).*** (Carrier: American Access Casualty Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf his specials, plus a fair and reasonable amount for pain and suffering. Defense counsel argued Plntf should take nothing. In the alternate, defense counsel suggested \$950 was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out ***less than thirty minutes.*** AWARDED PLNTF \$950 COMPENSATORY DAMAGES ***(REPRESENTING \$450 MEDICAL EXPENSES AND \$500 FOR PAIN AND SUFFERING).***

Following is a more accurate report of a trial previously reported in the July 2012 issue of THE TRIAL REPORTER of Nevada. The corrections are in **bold** *italic* type.

6/1/12 - pro tem Judge DAVID A. STEPHENS - CV A599812 - PEREZ and SOTO (Jason S. Cook, a sole practitioner) v TRUJILLO-CAMPOS (*Steven M. Rogers* of David L. Riddle & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf father Perez's \$6,000 arbitration award, Plntf son Perez's \$3,500 arbitration award, and Plntf Soto's \$8,000 arbitration award. Case also being tried as a Shorttrial. Plntf father Perez, age 40, Plntf son Perez, age 4, and Plntf Soto, female, age 59, all Nevada residents, alleged they were rear-ended by Dfnt. Dfnt, male, a Nevada resident, admitted negligence, but argued causation. Plntf father Perez alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf Soto alleged she sustained cervical, thoracic, and lumbar soft tissue injuries; plus a pelvic injury. Plntf son Perez alleged he sustained cervical soft tissue injuries. Plntfs called Darryl Littlefield, D.C. Dfnt argued the collision was minor and Plntfs were not injured. (Dfnt planned to call Curtis W. Poindexter, M.D., a physiatrist, but did not do so.) Plntf father Perez's Prayer: In excess of \$10,000 compensatory damages; \$3,261 medical expenses; plus \$877 property damage. Plntf son Perez's Prayer: In excess of \$10,000 compensatory damages; plus \$1,815 medical expenses. Plntf Soto's Prayer: In excess of \$10,000 compensatory damages; plus \$4,115 medical expenses (P). (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF FATHER PEREZ \$13,261 COMPENSATORY DAMAGES (REPRESENTING \$3,261 MEDICAL EXPENSES AND \$10,000 FOR PAIN AND SUFFERING); AWARDED PLNTF SON PEREZ \$2,000 COMPENSATORY DAMAGES (REPRESENTING \$1,815 MEDICAL EXPENSES, AND \$185 FOR PAIN AND SUFFERING); AND AWARDED PLNTF SOTO \$9,115 COMPENSATORY DAMAGES (REPRESENTING \$4,115 MEDICAL EXPENSES AND \$5,000 FOR PAIN AND SUFFERING).

8/3/12 - pro tem Judge PHILIP J. DABNEY - CV A632062 - GAUCIN-GARCIA (Brock K. Ohlson of Richard Harris Law Firm) v HERNANDEZ (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - INTERSECTION - CONTROLLED - TRAFFIC SIGNAL - T-BONE MISHAP. Case being tried on Dfnt's appeal of Plntf father's \$10,700 arbitration award and Plntf son's \$6,000 arbitration award. Case also being tried as a Shortrial. Plntf father, age 30, a Nevada resident, employed as a concrete repair patcher, was operating a vehicle, with passenger Plntf son, age 10, a student, both Nevada residents. Plntfs alleged Dfnt negligently ran red light and T-boned Plntfs' vehicle. Dfnt, male, age 24, an unemployed Nevada resident, admitted negligence but argued causation. Plntfs alleged they sustained cervical, thoracic, and lumbar soft tissue injuries. Plntfs planned to call Douglas B. Hermansen, D.C. Plntfs planned to use the medical records of M. Mark Ferdowsian, D.O., an emergency medicine specialist. Dfnt argued Plntfs were not injured. Plntf father's Prayer: In excess of \$10,000 compensatory damages; \$4,690 medical expenses; plus \$680 lost wages. Plntf son's Prayer: In excess of \$10,000 compensatory damages; plus \$2,495 medical expenses. Dfnt made a \$5,001 offer of judgment to Plntf father and a \$3,000 offer of judgment to Plntf son (D). (Carrier: American Access Casualty Insurance.) DURING FIRST DAY OF TRIAL, COURT DECLARED A MISTRIAL. JURY EXCUSED.

8/17/12 - pro tem Judge ALAN R. JOHNS - CV A628723 - KJOSTAD (Boyd B. Moss of Moss Berg Injury Lawyers) v STEUBING (Michael E. Rowe of David L. Riddle & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$6,492.58 arbitration award. Case also being tried as a Shorttrial. Plntf, female, age 52, an unemployed Nevada resident, alleged she was rear-ended by Dfnt. Dfnt, male, age 30, a Nevada visitor and rancher, admitted negligence, but argued causation. Plntf alleged she sustained cervical and lumbar soft tissue injuries. Dfnt argued impact was minor and Plntf was not injured. Dfnt also argued that there was a considerable delay before Plntf sought treatment. Prayer: In excess of \$10,000 compensatory damages; plus \$2,362.58 medical expenses. Plntf made a \$4,961.01 pretrial offer of judgment - Dfnt made a \$500 offer of judgment (P). (Carrier: Farmers Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$5,362.58 COMPENSATORY DAMAGES. (Post-trial, Court awarded Plntf \$3,000 attorney's fees, \$2,665.25 in costs, and \$458.17 prejudgment interest.)

8/17/12 - pro tem Judge VICTOR L. MILLER - CV A637159 - HARRIS (David M. Moore of Edward M. Bernstein & Associates) v TARRAGANO (Keith B. Gibson of Nevada General Insurance Company) - PERSONAL INJURY - INTERSECTION - LEFT TURN MISHAP. Case being tried on Dfnt's appeal of Plntf's \$11,500 arbitration award. Case also being tried as a Shorttrial. Additionally, case being tried on comparative fault. Plntf, female, age 19, a Nevada resident, employed as a warehouse worker, was operating a 2004 Hyundai Elantra, travelling northbound on Valley View Boulevard, near its intersection with Oakey Boulevard. Plntf alleged Dfnt, who was operating a 1997 Chevrolet Venture, travelling westbound on Casa Grande Avenue, negligently executed a left turn onto Valley View Boulevard, into Plntf's path, and caused collision. Dfnt, male, age 30, an unemployed Nevada resident, denied liability, advancing the defense that Plntf caused the collision when she improperly entered the center lane. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf called Michelle Perl, D.C.; and Matthew D. McGauran, P.A., a physician's assistant. Dfnt argued Plntf was not injured. Dfnt called Anthony B. Serfustini, M.D., an orthoped, who was of the opinion that the low-impact collision could not have caused injury. Prayer: In excess of \$10,000 compensatory damages; \$7,946 medical expenses; plus \$1,056 lost wages. Plntf made a pretrial demand of \$11,500 - Dfnt made a \$500 offer of judgment (P). (Carrier: Nevada General Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one-plus hours. AWARDED PLNTF \$12,502 COMPENSATORY DAMAGES. (Found Plntf to be fifty percent at fault and Dfnt to be fifty percent at fault; therefore, Plntf's award to be reduced to \$6,251.)

8/24/12 - pro tem Judge LANSFORD WILLIAM LEVITT - CV A627500 - STACY (Jonathan T. Rimmel, a sole practitioner) v BALLARD (Peter A. Mazzeo and Joshua A. Sliker of Barron & Pruitt, Chtd.) - PERSONAL INJURY - PARKING LOT MISHAP - GAS STATION. Case being tried on Dfnt's appeal of Plntf's \$21,666.37 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 39, an unemployed Nevada resident, stopped at a gasoline pump, and exited his vehicle. Plntf alleged that, as he reached into the vehicle to retrieve something from the floor on the driver's side, Dfnt negligently backed her vehicle into the right front bumper of Plntf's vehicle. Plntf also alleged that, as a result of the impact, his body struck the inside of his vehicle. Dfnt, in her forties, a Nevada resident, manager of a group home for troubled youth, admitted negligence, but argued causation. Dfnt argued the impact was not sufficient to cause Plntf's vehicle to move and injure Plntf. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries, with secondary headaches, and residual muscle spasms and tendinitis. Plntf called Jason O. Jaeger, D.C., who was of the opinion that Plntf's treatment was causally related, and Plntf will require ongoing treatment for six months. Dfnt called Joseph J. Schifini, M.D., a pain management specialist, who was of the opinion that Plntf had no objective findings of injury and/or pain. It was also Dr. Schifini's opinion that the low impact nature of the accident, and the manner in which Plntf was allegedly injured, indicated a low probability of actual injury. Surveillance film was shown to jury. Prayer: In excess of \$10,000 compensatory damages; \$11,666.37 past medical expenses; plus \$774 future medical expenses. Plntf made a \$100,000 pretrial offer of judgment - Dfnt refused to make an offer (D Sliker). (Carrier: Liberty Mutual Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. AWARDED PLNTF \$10,000 COMPENSATORY DAMAGES.

Following is some additional information about a trial previously reported in the August 2012 issue of THE TRIAL REPORTER of Nevada. The additional information is in bold italic type.

7/13/12 - pro tem Judge JOHN L. THORNDAL - CV A610565 - HAYES (William H. Gamage of Gamage & Gamage) v SORTO (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - LANE CHANGE. *Case being tried on Dfnt's appeal of Plntf's \$9,130.33 arbitration award.* Case also being tried as a Shorttrial. Plntf, male, *age 62*, a Nevada resident, *employed as an operations/security escort*, was operating a 1991 Chevrolet Corvette. Plntf alleged Dfnt, operating a 2003 Honda Accord, negligently executed an unsafe lane change, struck Plntf's vehicle on the right side, and caused collision. Dfnt male, *age 34*, a Nevada visitor, *employed as a construction worker/carpenter*, *admitted negligence, but argued he was only fifty percent at fault.* Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries, *with secondary headaches*; plus injuries to the shoulders. *Plntf used the medical records of his treating physician, Jennifer Kaldy, D.C., who was of the opinion that Plntf's treatment was causally related and necessary. Plntf also used the medical records of Kathleen D. Smith, M.D., an emergency medicine specialist ????.* Prayer: In excess of \$10,000 compensatory damages; plus \$7,805 medical expenses. *Plntf made a pretrial demand of \$10,000 - Dfnt made a \$2,500 offer of judgment (D).* (Carrier: American Access Casualty Insurance.) *During closing arguments, Plntf's counsel asked jury to award Plntf \$16,805. Defense counsel suggested \$678 was adequate compensation.* One day trial. By stipulation, four jurors deliberated. Jury out *one-plus* hours. FOUND FOR DFNT. *(Post-trial, Court awarded Dfnt \$2,511.39 in costs and \$2,500 in fees.)*

9/7/12 - pro tem Judge WILLIAM A. BRANNON - CV A640237 - KUSIAK (Harry P. Marquis, a sole practitioner) v TUCCI (Ronald M. Pehr of Law Offices of Katherine M. Barker) - PERSONAL INJURY- LANE CHANGE. Case was tried on Dfnt's appeal of Plntf's \$18,000 arbitration award.

Case also being tried as a Shorttrial. Plntf, female, age 70, a Nevada resident, alleged that, while stopped at a traffic signal, in the left of three through lanes, Dfnt negligently changed lanes from the left turn lane and struck the left side of Plntf's vehicle. Dfnt, male, age 27, a Nevada resident, admitted negligence, but argued Plntf was not stopped. Dfnt alleged the vehicles sideswiped each other. Plntf alleged she sustained cervical, thoracic, and lumbar strains and sprains; plus a soft-tissue injury to the hip area. Plntf also alleged she has intermittent lumbar pain and difficulty sleeping. Plntf used the medical report of Ashley V. Kelley, M.D., an internist, who was of the opinion that Plntf's treatment was causally related, reasonable, and necessary. Plntf also used the medical report of Joseph Stewart, D.C., who was of the opinion that Plntf's chiropractic care was reasonable and necessary. Dfnt called Brian K. Jones, P.E., an accident reconstructionist and biomechanical engineer, who testified that the mechanism of the accident was a sideswipe in which it was likely both vehicles were moving. Mr. Jones also testified that the kinetic energy imparted to Plntf's vehicle was minimal and below the threshold of injury. Dfnt also called Anthony B. Serfustini, M.D., an orthoped, who testified it was not probable that Plntf was injured. In the alternate, it was Dr. Serfustini's opinion that, if Plntf was injured, reasonable and necessary treatment consisted of four visits to her family physician, X-rays, and physical therapy. Prayer: In excess of \$10,000 compensatory damages; plus \$14,047.20 medical expenses. Plntf made a pretrial demand of \$18,000 - Dfnt made an \$11,700 offer of judgment (D). (Carrier: GEICO.) During closing arguments, Plntf's counsel asked jury to award Plntf her medical expenses, plus \$40,000 for pain and suffering. Defense counsel argued impact was minor and Plntf was not injured. In the alternate, defense counsel suggested \$7,392.20 for medical expenses, plus \$2,000 for pain and suffering, was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out twenty minutes. AWARDED PLNTF \$8,996.20

COMPENSATORY DAMAGES (REPRESENTING \$7,996.20 MEDICAL EXPENSES AND \$1,000 FOR PAIN AND SUFFERING). (Post-trial, Dfnt filed motion for attorney's fees and costs.)

9/14/12 - pro tem Judge CRAIG A. HOPPE - CV A600056 - CROUCHER (Christian Z. Smith of G. Dallas Horton & Associates) v ZUNIGA (Mercedes S. Menendez of R.S. Associates) - PERSONAL INJURY - T-BONE MISHAP. Case being tried on Dfnt's appeal of Plntf's \$10,456 (per P) or \$13,043.12 (per D) arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 38, a Nevada resident, employed as an X-ray technician, alleged Dfnt negligently T-boned Plntf's vehicle. Dfnt, male, age 20, a Nevada resident, admitted negligence. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf, who had scoliosis surgery with Harrington rod placement, in the mid-1990s, also alleged the Harrington rods were displaced in the accident, which resulted in cervical pain. Plntf used the medical report of Armando S. Miciano, M.D., a physiatrist, who was of the opinion that Plntf's injuries were causally related, and his medical treatment was reasonable and necessary. It was also Dr. Miciano's opinion that Plntf was asymptomatic prior to the accident. Plntf also used the medical reports of Ivan L. Goldsmith, M.D., an internist; Brian K. Lemper, D.O., a pain management specialist; Mark B. Kabins, M.D., an orthoped; D. Dean Yarbrow, Jr., M.D., a radiologist; and Margaret A. Montana, M.D., a radiologist, of Denver, Colorado. Dfnt argued Plntf's treatment was primarily diagnostic in nature. Dfnt used the medical report of Anthony B. Serfustini, M.D., an orthoped, who was of the opinion that, although Plntf was injured in the accident, the majority of Plntf's medical treatment was unrelated. It was also Dr. Serfustini's opinion that only two medical evaluations, X-rays, and pain medication, at a cost of \$826.50, were causally related. Prayer: In excess of \$10,000 compensatory damages; plus \$7,956 medical expenses. Plntf made a \$9,999 pretrial offer of judgment - Dfnt made a \$5,001 offer of judgment (P & D). (Carrier: American Access Casualty Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. AWARDED PLNTF \$11,956.60 COMPENSATORY DAMAGES (REPRESENTING \$7,956.60 MEDICAL EXPENSES AND \$4,000 FOR PAIN AND SUFFERING).

9/27/12 - pro tem Judge JAMES G. ARMSTRONG - CV A633157 - FILS-AIME and SIMON (Bruce D. Tingey of Tingey & Tingey Law Firm) v BRAVO (Mercedes S. Menendez [L.C.] and Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf Fils-Aime's \$17,667 arbitration award and Plntf Simon's \$16,033.30 arbitration award. Case also being tried as a Shorttrial. Additionally, case being tried on comparative fault. Plntf Fils-Aime, female, age 21, a homemaker, was operating a 2008 Nissan Titan with passenger, Plntf Simon, female, age 62, a homemaker, Plntf Fils-Aime's mother-in-law. Plntfs alleged they were rear-ended by Dfnt. Dfnt, male, age 57, a dishwasher, denied liability, advancing the defense that Plntf Fils-Aime stopped suddenly in the roadway, without warning. Plntf Fils-Aime alleged she sustained cervical, thoracic, and lumbar soft tissue injuries, with a bulging lumbar disk; plus an injury to the left shoulder. Plntf Simon alleged she sustained cervical, thoracic, and lumbar soft tissue injuries, with several bulging lumbar disks; plus an injury to the knee. Plntfs used the medical records of their treating physicians, Thongxay Southisene, D.C.; and Gary J. LaTourette, M.D., an orthopod. Dfnt argued Plntfs' medical expenses were excessive. Dfnt used the medical records of Anthony B. Serfustini, M.D., an orthopod, who was of the opinion that only \$4,978 medical expenses for Plntf Fils-Aime and \$3,703 medical expenses for Plntf Simon were causally related. Plntf Fils-Aime's Prayer: In excess of \$10,000 compensatory damages; plus \$10,080 medical expenses. Plntf Simon's Prayer: In excess of \$10,000 compensatory damages; plus \$8,868 medical expenses. Each Plntf made a \$15,000 pretrial offer of judgment - Dfnt made a \$10,008 offer of judgment to Plntf Fils-Aime and a \$7,218 offer of judgment to Plntf Simon. (Carrier: American Access Insurance.) During closing arguments, Plntfs' counsel asked jury to award Plntf Fils-Aime \$17,667, and award Plntf Simon \$16,033. Defense counsel argued liability. In the alternate, defense counsel argued Plntf Fils-Aime was comparatively at fault, and suggested a reduced amount for medical expenses for each Plntf, with no award for pain and suffering, was adequate compensatory. One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. FOUND FOR DFNT ON PLNTF SIMON'S

COMPLAINT; AWARDED PLNTF FILS-AIME \$6,708 COMPENSATORY DAMAGES. (Found Plntf Fils-Aime to be seventy percent at fault and Dfnt to be thirty percent at fault; therefore, Plntf to recover \$0 from Dfnt.)

9/28/12 - pro tem Judge JOHN J. GRAVES, JR. -
CV A633937 - TAMEZ (Russell D. Christian of
Stovall & Associates) v ROBINSON (Trevor Lee
Atkin of Atkin, Winner & Sherrod, Ltd.) -
PERSONAL INJURY - BICYCLE MISHAP. Case
being tried on Dfnts' appeal of Plntf's \$10,455.01
arbitration award. Case also being tried as a
Shorttrial. Plntf, male, age 30, a Nevada resident,
employed as a bartender, was riding his bicycle on a
bike path. Plntf alleged that, as he attempted to cross
the intersection of Oquendo Road and Rainbow
Boulevard, he was struck by Dfnt, who was operating
a 2004 Honda Accord. Dfnt, male, age 30, a Nevada
resident, employed as a golf manager, denied
liability, advancing the defense that Plntf failed to
yield the right-of-way. Dfnt also argued Plntf was at
fault for riding his bicycle on the wrong side of the
roadway. Plntf sustained a bankart fracture of the
left shoulder. Plntf used the medical report of Gary
J. LaTourette, M.D., an orthopod. Prayer: In excess
of \$10,000 compensatory damages; \$9,997 medical
expenses; plus \$455.01 lost wages. Plntf made a
\$10,455.01 offer of judgment - Dfnt offered \$2,500
(D). (Carrier: State Farm Insurance.) During closing
arguments, Plntf's counsel argued Dfnt was one-
hundred percent at fault, and asked jury to award
Plntf \$50,000. Defense counsel argued liability.
One day trial. By stipulation, four jurors deliberated.
Jury out one hour. FOUND FOR DFNT.

10/4/12 - pro tem Judge MICHAEL A. KONING - CV A624585 - KITCHEN and ROSE (Christopher G. Gellner, a sole practitioner) v LANGTON (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf Kitchen's \$20,000 arbitration award and Plntf Rose's \$22,500 arbitration award. Case also being tried as a Shorttrial. Plntf Kitchen, female, age 23, a Nevada resident, employed as a human resources manager, was operating a 2008 Nissan Rogue, travelling northbound on Decatur Boulevard, in the left travel lane, approaching Lake Mead Boulevard, with passenger, Plntf Rose, male, age 23, a Nevada resident and professional poker player. Plntfs alleged that, while stopped for an ambulance with emergency equipment activated, travelling southbound, which had crossed over the center median into the northbound travel lanes, they were rear-ended by Dfnt, who was operating a 1996 Chevrolet Blazer. Dfnt, female, age 25, an unemployed Nevada resident, admitted negligence, but argued damages. Plntf Kitchen alleged she sustained cervical, thoracic, and lumbar soft tissue injuries, with secondary headaches and residual pain. Plntf Rose alleged he sustained cervical, thoracic, and lumbar soft tissue injuries; plus an injury to the knee. Plntfs called Ronald L. Greenawalt, D.C.; and Richard A. Cestkowski, D.O., a family practitioner. Plntf Kitchen's Prayer: In excess of \$10,000 compensatory damages; \$11,433.76 medical expenses; plus an unspecified amount for lost wages. Plntf Rose's Prayer: In excess of \$10,000 compensatory damages; \$13,671.48 medical expenses; plus an unspecified amount for lost wages. Plntfs each made a pretrial demand for policy limits of \$15,000 - Dfnt made a \$12,001 offer of judgment to Plntf Kitchen and made a \$7,001 offer of judgment to Plntf Rose. (Carrier: American Access Casualty Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out eighteen minutes. AWARDED PLNTF KITCHEN \$10,608.70 COMPENSATORY DAMAGES; AND AWARDED PLNTF ROSE \$2,504.03 COMPENSATORY DAMAGES. (Post-trial, Court awarded Dfnt \$3,000 in attorney's fees plus \$2,922.10 in costs.) (CASE SUBSEQUENTLY SETTLED FOR AN UNDISCLOSED AMOUNT.)

10/19/12 - pro tem Judge DAVID A. STEPHENS - CV A628630 - LACASCIA (Bruce D. Tingey of Tingey & Tingey Law Firm) v CONELLY (Mark L. Gentile of Gentile Law Group) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$13,700 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 44, a Nevada resident, employed as an executive bodyguard, alleged that, while stopped for a red traffic signal, he was rear-ended by Dfnt. Plntf also alleged Dfnt was travelling at a significant speed at the time of impact. Dfnt, male, age 20, a Nevada resident, employed as an electrician apprentice, admitted negligence, but argued causation. Dfnt alleged he dozed off while he was stopped behind Plntf's vehicle and his foot came off the brake pedal, which caused his vehicle to roll forward into Plntf's vehicle. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Dfnt argued Plntf was a bodybuilder in terrific shape and was unlikely to have been injured in the accident. Plntf used the medical report of Lance Poe, D.C. Prayer: In excess of \$10,000 compensatory damages; plus \$5,624.30 medical expenses. Plntf made a pretrial demand of \$13,700 - Dfnt made a \$5,001 offer of judgment (D). (Carrier: Allstate Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$13,700. Defense counsel argued that Plntf's treatment should not have exceeded his initial examination at the hospital. One day trial. By stipulation, four jurors deliberated. Jury out thirty minutes. FOUND FOR DFNT.

11/15/12 - pro tem Judge STEVEN J. KAREN - CV A637089 - FROST (Elizabeth E. Coleman of Personal Injury of Nevada) v PLACIBE (Melanie J. Muldowney of Bell and Young, Ltd.) - PERSONAL INJURY - INTERSECTION - CONTROLLED - LEFT TURN MISHAP. Case being tried on Dfnt's appeal of Plntf's \$13,500 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 64, a Nevada resident, employed as a taxi driver, operating a 2006 Dodge, was travelling northbound on Las Vegas Boulevard. Plntf alleged that, as he executed a left turn, oncoming Dfnt, who was operating a 2005 Honda, failed to yield the right-of-way and caused collision. Dfnt, male, age 45, a Nevada resident, employed as a busser, denied liability, advancing the defense that the evidence did not support Plntf's allegation. Dfnt used the report of Brian K. Jones, P.E., an accident reconstructionist. Plntf alleged he sustained cervical, thoracic, and lumbar spinal injuries. Plntf used the medical reports of his treating physicians. Prayer: In excess of \$10,000 compensatory damages; plus \$4,487 medical expenses. Plntf made an \$8,000 pretrial offer of judgment - Dfnt refused to make an offer (D). (Carrier: Shelter Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one-plus hours. AWARDED PLNTF \$5,000 COMPENSATORY DAMAGES. (Found Plntf to be fifty percent at fault and Dfnt to be fifty percent at fault; therefore, Plntf's award to be reduced to \$2,500.)

11/8/12 - pro tem Judge GARY A. PULLIAM - CV A626439 - FULKS (Alison M. Brasier of Richard Harris Law Firm) v MEHLING (Elizabeth R. Mikesell of Law Offices of Tracy Strickland) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$18,000 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 29, a Nevada resident, employed as a personal trainer, alleged that, while stopped for a red traffic signal on Flamingo Road at Paradise Road, he was rear-ended by Dfnt, who was operating a Hummer H2. Dfnt, female, age 38, a Nevada resident and homemaker, argued that, when the traffic signal turned green, Dfnt began to move forward, but Plntf did not proceed. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Prayer: In excess of \$10,000 compensatory damages; \$10,096 medical expenses; plus \$1,700 property damage. Plntf made a pretrial demand of \$18,000 - Dfnt made a \$5,001 offer of judgment (D). (Carrier: Safeco Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ? hours. AWARDED PLNTF \$10,096 COMPENSATORY DAMAGES. (Post-trial, Court awarded Plntf \$916.24 in pre-judgment interest, \$862.15 in costs, \$750.00 in fees, and \$3,000 in attorney's fees.)

11/16/12 - pro tem Judge ALAN R. JOHNS - CV A636110 - MADRIGAL and DURAN (Eric R. Blank, a sole practitioner) v ADAMSON (Mark L. Gentile of Gentile Law Group) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf Madrigal's \$24,856.40 arbitration award, and Plntf Duran's \$18,808 arbitration award, with a finding that Plntf Madrigal was twenty percent at fault. Case also being tried as a Shortrial. Plntf Madrigal, male, age 39, a professional painter, was operating a work truck, with passenger, Plntf Duran, male, age 20, a student. Plntfs alleged that, while they were stopped for a pedestrian, in a marked crosswalk, which had a flashing yellow light, near Maryland Parkway and University Road, they were rear-ended by Dfnt, who was operating a 2008 Chrysler Sebring convertible. Dfnt's vehicle was totalled. Dfnt, female, age 24, a Nevada visitor, employed as a special education aide, argued Plntf Madrigal executed an improper lane change, then stopped suddenly, and was comparatively at fault. Plntfs alleged they sustained cervical, thoracic, and lumbar soft tissue injuries. Plntfs also alleged they have residual ongoing symptoms and limitations. Dfnt argued Plntfs' treatment was unnecessary and overpriced. Plntf Madrigal's Prayer: In excess of \$10,000 compensatory damages; plus \$9,856 medical expenses. Plntf Duran's Prayer: In excess of \$10,000 compensatory damages; plus \$7,308 medical expenses. Plntf Madrigal made a pretrial demand of \$19,885.12 - Dfnt made a \$14,001 offer of judgment. Plntf Duran made a pretrial demand of \$16,000 - Dfnt made a \$10,001 offer of judgment (D). (Carrier: Progressive Insurance.) During closing arguments, Plntfs' counsel argued Plntfs' treatment was reasonable and conservative, and asked jury to award Plntf Madrigal \$19,885.12 and award Plntf Duran \$18,808. Defense counsel suggested \$5,839 for medical expenses, plus \$1,000 for pain and suffering, to Plntf Madrigal, was adequate compensation. Defense counsel also suggested \$2,300 for medical expenses, plus \$500 for pain and suffering, to Plntf Duran, was adequate compensation. One day trial. By stipulation, four jurors deliberated. Jury out thirty minutes. AWARDED PLNTF MADRIGAL \$5,250 COMPENSATORY DAMAGES (REPRESENTING \$4,250 MEDICAL EXPENSES AND \$1,000 PAIN

AND SUFFERING); AND AWARDED PLNTF DURAN \$2,800 COMPENSATORY DAMAGES (REPRESENTING \$2,300 MEDICAL EXPENSES AND \$500 FOR PAIN AND SUFFERING). (Found Plntf Madrigal to be fifty percent at fault and Dfnt to be fifty percent at fault; therefore, Plntf Madrigal's award to be reduced to \$2,625, and Plntf Duran to recover \$1,400 from Dfnt.)

11/30/12 - pro tem Judge ROBERT J. ARNESON -
CV A625036 - MEDINA (Robert E. Marshall of
Marshall Law Office) v McCRARY (Yianna C.
Reizakis of R.S. Associates) - PERSONAL INJURY
- INTERSECTION - CONTROLLED - STOP SIGN.

*Case being tried on Dfnt's appeal of Plntf's \$7,878
arbitration award.* Case also being tried as a
Shorttrial. Plntf, male, a Nevada resident, operating a
2007 Nissan, was travelling eastbound on Wyoming
Avenue. Plntf alleged Dfnt, male, a Nevada resident,
who was operating a 2000 Pontiac, travelling
northbound on Frank Street, failed to stop for the
stop sign and caused collision. Plntf alleged he
sustained cervical, thoracic, and lumbar soft tissue
injuries. Prayer: In excess of \$10,000 compensatory
damages; plus \$5,120 medical expenses. Dfnt made
a \$1,500 pretrial offer of settlement (P). (Carrier:
American Access Casualty Insurance.) One day trial.
By stipulation, four jurors deliberated. AWARDED
PLNTF \$3,577.50 COMPENSATORY DAMAGES.
(Post-trial, Court awarded Plntf \$2,907.93 in costs,
\$750 in fees, and \$402.90 pre-judgment interest.)

Following is some additional information about a trial previously reported in the October 2012 issue of THE TRIAL REPORTER of Nevada. The additional information is in bold italic type.

9/14/12 - pro tem Judge PHILIP J. DABNEY - CV A632062B - GAUCIN-GARCIA (Brock K. Ohlson of Richard Harris Law Firm) v HERNANDEZ (Yianna C. Reizakis of R.S. Associates) - PERSONAL INJURY - INTERSECTION - CONTROLLED - TRAFFIC SIGNAL - T-BONE MISHAP. ***This is a retrial; first trial ended in a mistrial on August 3, 2012, before pro tem Judge Philip J. Dabney. Case being tried on Dfnt's appeal of Plntf father's \$10,700 arbitration award and Plntf son's \$6,000 arbitration award.*** Case also being tried as a Shorttrial. Plntf father, age 30, a Nevada resident, employed as a concrete repair patcher, was operating a vehicle, with passenger Plntf son, age 10, a student, both Nevada residents. Plntfs alleged Dfnt negligently ran red light and T-boned Plntfs' vehicle. Dfnt, male, age 24, an unemployed Nevada resident, admitted negligence but argued causation. Plntfs alleged they sustained cervical, thoracic, and lumbar soft tissue injuries. Plntfs called Douglas B. Hermansen, D.C., who testified regarding Plntfs' injuries, treatment, and medical expenses. Plntfs used the medical records of M. Mark Ferdowsian, D.O., an emergency medicine specialist. Dfnt argued Plntfs were not injured. Plntf father's Prayer: In excess of \$10,000 compensatory damages; \$4,690 medical expenses; plus \$680 lost wages. Plntf son's Prayer: In excess of \$10,000 compensatory damages; plus \$2,495 medical expenses. Dfnt made a \$5,001 offer of judgment to Plntf father and a \$3,000 offer of judgment to Plntf son (D). (Carrier: American Access Casualty Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out forty-five minutes. AWARDED PLNTF FATHER \$2,424 COMPENSATORY DAMAGES, AND AWARDED PLNTF SON \$1,290 COMPENSATORY DAMAGES. ***(Post-trial, Court awarded Dfnt \$3,289.91 in costs against Plntf father, and awarded Dfnt \$1,671.44 in costs against Plntf son.)***

Following is some additional information about a trial previously reported in the November 2012 issue of THE TRIAL REPORTER of Nevada. The additional information is in bold italic type.

10/12/12 - pro tem Judge REBECCA L. MASTRANGELO - CV A639433 - CRUZ (Brandon W. McCoy, a sole practitioner) v ANGELINO (Thomas Friedman of Brown, Bonn & Friedman, L.L.P.) - PERSONAL INJURY - MULTIPLE-VEHICLE REAREND. ***Case being tried on Dfnt's appeal of Plntf's \$13,090 arbitration award, and Plntf's spouse's \$900 arbitration award for loss of consortium.*** Case also being tried as a Shorttrial. Plntf, in her thirties, a Nevada resident, employed as a housekeeper, operating a 1998 Ford Mustang, alleged that, while stopped for a red traffic signal, southbound on Eastern Avenue at Bonanza Road, she was rear-ended by Dfnt, who was operating a 2007 Ford Fusion. Plntf also alleged impact propelled her vehicle into the vehicle in front of her. Dfnt, female, a Nevada resident, age 20, admitted negligence, but argued causation. Plntf alleged she sustained cervical, thoracic, and lumbar soft tissue injuries, which required twenty-one chiropractic treatments. ***Plntf called her treating physician, Todd A. Tomburo, D.C., who was of the opinion that all of Plntf's treatment was causally related.*** Dfnt argued Plntf did not seek medical treatment until two weeks post-accident. ***Dfnt called Richard M. Dix, M.D., an orthoped, who was of the opinion that only the emergency department treatment administered was causally related.*** Prayer: In excess of \$10,000 compensatory damages; \$4,410 medical expenses; \$250 to \$390 lost wages; ***plus \$500 property damage.*** Plntf's spouse made claim for loss of consortium. ***Plntf made a \$13,990 pretrial offer of judgment - Dfnt made an \$8,065 offer of judgment (P).*** (Carrier: Ameriprise Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out ***one-plus*** hours. AWARDED PLNTF \$10,813.30 COMPENSATORY DAMAGES (REPRESENTING \$7,813.30 MEDICAL EXPENSES, \$2,500 FOR PAST PAIN AND SUFFERING, AND \$500 FOR FUTURE PAIN AND SUFFERING); AND AWARDED PLNTF'S SPOUSE \$500 FOR LOSS OF CONSORTIUM. ***(Post-trial, Court awarded Plntf \$7,354.16 in attorney's fees and costs.)***

12/7/12 - pro tem Judge JAMES P. CHRISMAN -
CV A618684 - CAMERON (Amy B. Honodel and
Peter L. Chasey of Chasey Honodel) v VILLA
(Randall W. "Randy" Tindall of Law Office of David
M. Jones) - PERSONAL INJURY - REAREND.

Case being tried on Dfnt's appeal of Plntf's
\$11,697.41 arbitration award. Case also being tried
as a Shorttrial. Plntf, in her mid-fifties, a Nevada
resident, employed as a bus driver, alleged she was rear-

ended by Dfnt. Dfnt, male, age 17, a Nevada
resident, employed as a retail clerk, admitted
negligence, but argued causation. Plntf alleged she
sustained cervical, thoracic, and lumbar soft tissue
injuries; plus bilateral injuries to the shoulders. Plntf
also alleged she was more susceptible to injury, due
to her asymptomatic preexistent spinal condition and
small size. Plntf called her treating physician, Craig
E. Roles, D.C., who testified regarding Plntf's
causally-related injuries, the treatment administered,
and the reasonable cost of treatment (per P) or Plntf
called Craig Calder, D.C. (per D). Dfnt argued
impact was minor, and Plntf's pain complaints were
related to her preexistent condition. Prayer: In excess
of \$10,000 compensatory damages; plus \$6,100
medical expenses. Plntf made a \$12,650 pretrial
offer of judgment - Dfnt made a \$6,200 offer of
judgment (P Honodel & D). (Carrier: Farmers
Insurance.) During closing arguments, Plntf's
counsel asked jury to award Plntf \$12,500. Defense
counsel argued Plntf should take nothing. One day
trial. By stipulation, four jurors deliberated. Jury out
one hour. FOUND FOR DFNT.

12/7/12- pro tem Judge CRAIG A. HOPPE - CV A626409 - DING and LI (Kevin R. Hansen of Shumway Van & Hansen, Chtd.); v SANCHEZ (David B. Wasson, a sole practitioner); and LI (Nickolas A. Amon of Gannon & Associates) - PERSONAL INJURY - SIDESWIPE MISHAP. Case being tried on Dfnts' appeal of Plntf Ding's \$9,280 arbitration award, and Plntf Li's \$7,560 arbitrator award. Case also being tried as a shorttrial. Additionally, case being tried on comparative fault. Plntf Ding, female, age 42, and Plntf Li, male, age 16, both Nevada residents, were passengers in a vehicle operated by Dfnt Li, male, age 44, also a Nevada resident, travelling on Pennwood Avenue. Plntfs alleged Dfnt Sanchez, male, age 26, a Nevada resident, employed as a floor installer, travelling in front of Dfnt Li's vehicle, in the middle of the roadway, braked suddenly without making a signal, executed a right turn into Dfnt Li's path, and caused collision. Plntfs alleged they both sustained cervical, thoracic, and lumbar strains and sprains, with ongoing complaints of residual pain. Plntf Ding's Prayer: In excess of \$10,000 compensatory damages; plus \$3,280 medical expenses. Plntf Li's Prayer: In excess of \$10,000 compensatory damages; plus \$2,560 medical expenses. Plntf Ding made a pretrial demand of \$9,280; Plntf Li made a pretrial demand of \$7,560 - Dfnts offered \$2,750 (D Wasson). (Dfnt Sanchez's Carrier: Kemper Insurance; Dfnt Li's Carrier: Allstate Insurance). One day trial. By stipulation, four jurors deliberated. Jury out two hours. AWARDED PLNTF DING \$3,280 COMPENSATORY DAMAGES, AND AWARDED PLNTF LI \$2,560 COMPENSATORY DAMAGES. (Found Dfnt Sanchez to be zero percent at fault and Dfnt Li to be one-hundred percent at fault.)

12/7/12 - pro tem Judge CHRISTOPHER M. YOUNG - CV A637763 - MARTIN (Zoe K. Terry of Porter & Terry, L.L.C.) v DUVAIL (Algimantas J. Bruzas of Gannon & Associates) - PERSONAL INJURY - REAREND. Case being tried on Dfnt's appeal of Plntf's \$6,170 arbitration award. Case also being tried as a Shorttrial. Additionally, case being tried on comparative fault. Plntf, male, age 44, a Nevada resident, employed as a landscaper, alleged he was rear-ended by Dfnt. Plntf called the investigating police officer. Dfnt, male, age 38, a Nevada resident, denied liability, advancing the defense that Plntf executed an unnecessary, abrupt stop, and Dfnt was unable to avoid the collision. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries. Plntf used the medical report of Roper L. Dollarhide, D.C., who was of the opinion that Plntf's injuries were causally related. Prayer: In excess of \$10,000 compensatory damages; plus \$2,320 medical expenses. Plntf made a \$4,319 pretrial offer of judgment - Dfnt made a \$2,320 offer of judgment (P). (Carrier: Allstate Insurance.) During closing arguments, Plntf's counsel asked jury to award Plntf \$6,170. Defense counsel argued Plntf was at least partially at fault. One day trial. By stipulation, four jurors deliberated. Jury out less than one hour. AWARDED PLNTF \$3,820 COMPENSATORY DAMAGES. (Found Plntf to be forty percent at fault and Dfnt to be sixty percent at fault; therefore, Plntf's award to be reduced to \$2,292.)

12/26/12 - pro tem Judge CRAIG A. HOPPE - CV A645120 - ORTEGA-TORRES (Joel S. Hengstler of Nettles Law Firm) v KRAL (James W. Howard, Jr., of The Howard Law Firm) - PERSONAL INJURY - INTERSECTION - CONTROLLED - TRAFFIC SIGNAL - LEFT TURN. Case being tried on Dfnt's appeal of Plntf's \$17,263.98 arbitration award. Case also being tried as a Shorttrial. Plntf, male, age 26, a Nevada resident and unemployed construction laborer, was operating a 2001 Dodge Durango, travelling eastbound on Blue Diamond Road, with a green traffic signal. Plntf alleged Dfnt, operating a 2001 Honda Civic, exited Interstate 15 at Blue Diamond Road, then negligently ran red light, and executed a left turn into Plntf's path, and caused collision. Dfnt, female, age 28, a Nevada resident, denied liability, advancing the defense, advancing the defense that she had a green light, and Dfnt caused collision. Plntf alleged he sustained cervical, thoracic, and lumbar soft tissue injuries, with secondary headaches; plus bilateral minor injuries to the knees. Prayer: In excess of \$10,000 compensatory damages; plus \$5,605 medical expenses. Plntf made an \$8,000 pretrial offer of judgment - Dfnt offered \$5,000 (D). (Carrier: Progressive Insurance.) One day trial. By stipulation, four jurors deliberated. Jury out one hour. FOUND FOR DFNT.

AFFIDAVIT

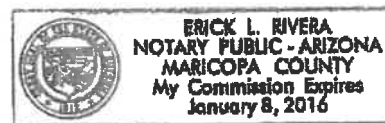
Beverly Graham, being first duly sworn upon oath, deposes and says under penalty of perjury:


- 1 That Affiant, Beverly Graham, is Editor/Publisher of Verdict Summaries & Research, Inc., dba THE TRIAL REPORTER OF NEVADA.
2. That Verdict Summaries & Research, Inc., dba THE TRIAL REPORTER OF NEVADA publishes reported jury verdicts in the State of Nevada.
3. That Affiant researched and reviewed THE TRIAL REPORTER records, documents, materials, and database for reported jury verdicts rendered in Nevada after an appeal of an arbitration award in cases involving personal injury resulting from motor vehicle accidents.
- 4 That the attached are true and complete copies of trials reported in our publication regarding said verdicts from January 1, 2006 through February, 2013.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


BEVERLY GRAHAM

SUBSCRIBED and SWORN to before me
this 5th day of September, 2013.




NOTARY PUBLIC in and for the County
of Maricopa, State of Arizona

APP000843

EXHIBIT “2”

EXHIBIT “2”

PURDY ANDERSON STORM
3199 E. Warm Springs Rd., Ste., 200
Las Vegas, Nevada 89120-3150
Tel. (702) 765-0976 * Fax (702) 765-0981

RFA
PURDY ANDERSON STORM
MARK ANDERSON, ESQ.
Nevada Bar No.: 606
3057 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Telephone: (702) 765-0976
Facsimile: (702) 765-0981
Email: manderson@keyinsco.com
Attorneys for Defendant

ARMANDO PONS-DIAZ, an individual,

Plaintiff,

vs.

VERONICA JAZMIN CASTILLO, an
individual; and DOES I through X, inclusive,

Defendants.

CASE NO.: A-19-789525-C
DEPT. NO.: IV

**DEFENDANT'S REQUESTS FOR
ADMISSIONS TO PLAINTIFF**

TO; ARMANDO PONS-DIAZ, PLAINTIFF;

TO: ERIC R. BLANK and JOHN R. HOLLIDAY, ESQ, ATTORNEYS FOR
PLAINTIFF..

COMES NOW Defendant VERONICA JAZMIN CASTILLO by and through his
attorneys of record, MARK ANDERSON, ESQ. of PURDY ANDERSON STORM, and
pursuant to NRCP 36, hereby requests that the above named Plaintiff respond to in writing
upon receipt hereto, the following Requests for Admissions.

DATED this 5th day of November, 2019.

By: 

MARK ANDERSON, ESQ.
Nevada Bar No.: 606
3057 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Telephone: (702) 765-0976
Attorneys for Defendant

PRELIMINARY DEFINITIONS AND INTRUCTIONS

The following preliminary definitions and instructions apply to each of the requests for admission set forth herein and are deemed to be incorporated therein.

1. As used in these requests for admission, the terms "document" and "writing" and the plural forms thereof, shall mean all written, recorded, or graphic matters, however produced or reproduced, of every kind of description, pertaining in any way to the subject matter of this action. The terms "document" and "writing" shall include, but are not limited to, any books, pamphlets, periodicals, memoranda (including those of telephonic, or oral, conversations), contracts, correspondence, agreements, publications, financial records, security instruments, disbursements, checks, bank statements, time records, accounting and/or financial records, notes, diaries, logs, telegrams, or cables, prepared drafted received or sent, tapes, transcripts, recordings, minutes of meetings, directives, work papers, charts, drawings, prints, flow sheets, photographs, films, computer print outs, medical and hospital records and reports, x-ray photographs, advertisements, catalogs, or any hand written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, in your possession, custody or control, which you have or had access.

2. As used throughout these requests for admissions, the term "you", its plural or any synonym thereof, is intended to and shall embrace and include in addition to the named party or parties, counsel for such party or parties, and all agents, servants, employees, officers, directors, representatives, investigators and others who are in possession of or who may have obtained information for or on behalf of the named party or parties.

3. As used throughout these requests for admission, the term "person," its plural or any

1 synonym thereof, is intended to and shall embrace and include any individual, partnership,
2 corporation, company, association, government agency (whether federal, state local or any
3 agency of the government of a foreign country) or any other entity.

4 4. As used throughout these requests for admission, the term "communication," its
5 plural or any synonym thereof, is intended to and shall embrace and include all written
6 communications, and with respect to all written communications, shall include, but is not
7 limited to, every discussion, conversation, conference, meeting, interview, telephone call, or
8 other professional service visit.

10 5. All information is to be divulged which is in your possession or control, or can be
11 ascertained upon reasonable investigation or areas within your control. The knowledge of your
12 attorney is deemed to be your knowledge, so that, apart from privileged matters, if your
13 attorney has knowledge of the information sought to be elicited herein, said knowledge must be
14 incorporated into these responses, even if such information is unknown to you individually.

16 6. Whenever you are unable to answer these requests for admission based upon your
17 own personal knowledge, please so state and identify the person or persons you believe to have
18 such knowledge, what you believe the correct answer to be, and the facts upon which you
19 based your response.

21 7. Where a request for admission calls for an answer in more than one part, each part
22 should be separated so that the answer is clearly understandable.

23 8. Each request for admission should be construed independently. No request for
24 admission should be construed by reference to any other request if the result is a limitation of
25 the scope of the answer to such request.

27 9. "And" and "or" shall be construed disjunctively or conjunctively as necessary, in
28

1 order to bring within the scope of the request for admission all answers which might otherwise
2 be construed outside of its scope.

3 10. If The request for admission is objected to, in whole or in part, or if information
4 responsive to a request is withheld, on the ground of privilege or otherwise, please set forth
5 fully each objection, describe generally the information withheld, and set forth the facts upon
6 which you rely as a basis for each objection.
7

8 11. A party is under a duty to reasonably amend a prior answer if she obtains
9 information upon which the basis of which: (1) she knows the answer was incorrect when
10 made, or (2) she knows that the answer, though correct when made, is no longer true and the
11 circumstances are such that a failure to amend the answer is in substance a knowing
12 concealment.
13

14 12. PLAINTIFF IS ADVISED THAT FAILURE TO RESPOND WITHIN
15 THIRTY (30) DAYS FROM RECEIPT HEREOF, IS DEEMED AN ADMISSION.
16

17 **REQUESTS FOR ADMISSION**

18 **REQUEST NO. 1:**

19 Admit that you did not sustain any physical injuries as a result of the accident that is the
20 subject of your lawsuit against Defendant (hereafter referred to as the subject accident).
21

22 **REQUEST NO. 2:**

23 Admit that you did not seek any medical care as a result of the subject accident.

24 **REQUEST NO. 3:**

25 Admit that you did not suffer any emotional distress as a result of the subject accident.

26 **REQUEST NO. 4:**

27 Admit that you were not wearing a seatbelt at the time of the subject accident.
28

REQUEST NO. 5:

Admit that you are not presenting a wage loss claim as a result of the subject accident..

REQUEST NO. 6:

Admit that you sustained no out of pocket expenses related to your medical care as a result of the subject accident.

REQUEST NO. 7:

Admit that you are not making a claim for loss of future earnings capacity as a result of the subject accident.

REQUEST NO. 8

Admit that you did not sustain any permanent injury as a result of the subject accident.

REQUEST NO. 9

Admit that you did not have any interruptions to your activities of daily living as a result of the subject accident.

REQUEST NO. 10

Admit that you are not making a claim for future medical damages for injuries you allegedly suffered as a result of the subject accident.

DATED this 5th day of November, 2019.

By: 

MARK ANDERSON, ESQ.

Nevada Bar No.: 606

3057 East Warm Springs Road, Suite 400

Las Vegas, Nevada 89120

Telephone: (702) 765-0976

Attorneys for Defendant

PURDY ANDERSON STORM
3199 E. Warm Springs Rd., Ste., 200
Las Vegas, Nevada 89120-3150
Tel. (702) 765-0976 * Fax (702) 765-0981

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of November, 2019, I served a true and complete copy of the foregoing **DEFENDANT'S REQUEST FOR ADMISSIONS TO PLAINTIFF** addressed to the parties below to be served by electronic service through the District Court.

Eric R. Blank, ESQ.
John R. Holliday, Esq.
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Service@ericblanklaw.com
Attorney for Plaintiff

SWarner
Paralegal to PURDY ANDERSON STORM

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RFP
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Telephone: (702) 765-0976
Facsimile: (702) 765-0981
Email: manderson@keyinsco.com
Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

ARMANDO PONS-DIAZ, an individual,

Plaintiff,

vs.

VERONICA JAZMIN CASTILLO, an
individual; and DOES I through X, inclusive,

Defendants.

CASE NO.: A-19-789525-C
DEPT. NO.: IV

**DEFENDANT'S REQUEST FOR
PRODUCTION OF DOCUMENTS TO
PLAINTIFF**

TO; ARMANDO PONS-DIAZ, PLAINTIFF;

TO: ERIC R. BLANK and JOHN R. HOLLIDAY, ESQ, ATTORNEYS FOR
PLAINTIFF..

COMES NOW Defendant VERONICA JAZMIN CASTILLO by and through his
attorneys of record, MARK ANDERSON, ESQ. of PURDY ANDERSON STORM, and
pursuant to NRCP 34, hereby requests that the above named Plaintiff respond to the following

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///

///

1 Requests for Production of Documents.

2 DATED this 5th day of November, 2019.

3
4
5 By: 

MARK ANDERSON, ESQ.

Nevada Bar No.: 606

3057 East Warm Springs Road, Suite 400

Las Vegas, Nevada 89120

Telephone: (702) 765-0976

Attorneys for Defendant

6
7
8
9 **PRELIMINARY DEFINITIONS AND INSTRUCTIONS**

10
11 The following preliminary definitions and instructions apply to each of the requests for
12 production set forth herein and are deemed to be incorporated therein.

13
14 1. As used in these requests for production, the terms "document" and "writing" and
15 the plural forms thereof, shall mean all written, recorded, or graphic matters, however produced
16 or reproduced, of every kind of description, pertaining in any way to the subject matter of this
17 action. The terms "document" and "writing" shall include, but are not limited to, any books,
18 pamphlets, periodicals, memoranda (including those of telephonic, or oral, conversations),
19 contracts, correspondence, agreements, publications, financial records, security instruments,
20 disbursements, checks, bank statements, time records, accounting and/or financial records,
21 notes, diaries, logs, telegrams, or cables, prepared drafted received or sent, tapes, transcripts,
22 recordings, minutes of meetings, directives, work papers, charts, drawings, prints, flow sheets,
23 photographs, films, computer print outs, medical and hospital records and reports, x-ray
24 photographs, advertisements, catalogs, or any hand written, recorded, transcribed, taped,
25 filmed, or graphic matter, however produced or reproduced, in your possession, custody or
26 control, which you have or had access.
27
28

1 2. As used throughout these requests for production, the term "you", its plural or any
2 synonym thereof, is intended to and shall embrace and include in addition to the named party or
3 parties, counsel for such party or parties, and all agents, servants, employees, officers, directors,
4 representatives, investigators and others who are in possession of or who may have obtained
5 information for or on behalf of the named party or parties.
6

7 3. As used throughout these requests for production, the term "person," its plural or
8 any synonym thereof, is intended to and shall embrace and include any individual, partnership,
9 corporation, company, association, government agency (whether federal, state local or any
10 agency of the government of a foreign country) or any other entity.
11

12 4. As used throughout these requests for production, the term "communication," its
13 plural or any synonym thereof, is intended to and shall embrace and include all written
14 communications, and with respect to all written communications, shall include, but is not
15 limited to, every discussion, conversation, conference, meeting, interview, telephone call, or
16 other professional service visit.
17

18 5. All information is to be divulged which is in your possession or control, or can be
19 ascertained upon reasonable investigation or areas within your control. The knowledge of your
20 attorney is deemed to be your knowledge, so that, apart from privileged matters, if your
21 attorney has knowledge of the information sought to be elicited herein, said knowledge must be
22 incorporated into these responses, even if such information is unknown to you individually.
23

24 6. Whenever you are unable to answer these requests for production based upon your
25 own personal knowledge, please so state and identify the person or persons you believe to have
26 such knowledge, what you believe the correct answer to be, and the facts upon which you
27 based your response.
28

 7. Where a request for production calls for an answer in more than one part, each part

should be separated so that the answer is clearly understandable.

8. Each request for production should be construed independently. No request for production should be construed by reference to any other request if the result is a limitation of the scope of the answer to such request.

9. "And" and "or" shall be construed disjunctively or conjunctively as necessary, in order to bring within the scope of the request for production all answers which might otherwise be construed outside of its scope.

10. If the request for production is objected to, in whole or in part, or if information responsive to a request is withheld, on the ground of privilege or otherwise, please set forth fully each objection, describe generally the information withheld, and set forth the facts upon which you rely as a basis for each objection.

11. A party is under a duty to reasonably amend a prior response if he or she obtains information upon which the basis of which: (1) she knows the answer was incorrect when made, or (2) she knows that the answer, though correct when made, is no longer true and the circumstances are such that a failure to amend the response is in substance a knowing concealment.

12. PLAINTIFF IS ADVISED THAT FAILURE TO RESPOND WITHIN THIRTY (30) DAYS FROM RECEIPT HEREOF, MAY BE DEEMED A WAIVER OF THE RIGHT TO OBJECT TO THESE REQUESTS.

REQUESTS FOR PRODUCTION

REQUEST NO. 1:

Any and all medical records, including but not limited to hospital records, x-ray reports, doctor's initial evaluations, nurse's initial evaluations, progress reports, diagnostic test results,

1 bills, invoices, and/or statements reflecting the medical treatment and/or hospitalization of the
2 Plaintiff for the incident that is the subject of this litigation.

3
4 **REQUEST NO. 2:**

5 Any and all photographs, repair estimates, documents and/or other writings reflecting
6 the property damage of any of the vehicles involved in the subject accident.

7
8 **REQUEST NO. 3:**

9 Any and all documents, W-2's, tax forms, including but not limited to, tax returns filed
10 with the IRS, and/or other writings relating to your claims for lost wages, incomes or future
11 earning capacity.

12
13 **REQUEST NO. 4:**

14 Any and all witness statements, investigative reports, summaries, and/or other
15 documents relating to the investigation of the subject accident.

16
17 **REQUEST NO. 5:**

18 Any and all documents, correspondence, reports, curriculum vitae and/or other writings
19 of any and all experts the Plaintiff has retained in this case.

20
21 **REQUEST NO. 6:**

22 Fully executed authorizations, attached hereto.

23 **REQUEST NO. 7:**

24 Any and all records of Plaintiff's cellular telephone on the date of the accident in
25 question.

26
27 **REQUEST NO. 8**
28

Any and all documents referred to and/or identified in Plaintiff's Answers to
Interrogatories and/or Requests for Admissions.

REQUEST NO. 9

Any and all documents reflecting upon Plaintiff's medical condition prior to the
accident which is the subject of the instant litigation, including any prior injuries,
hospitalizations, prior accidents, surgeries, consultations and treatments. during the past seven
(7) years.

REQUEST NO. 10

Any and all liens in connection with the injuries Plaintiff alleges were suffered in the
accident which is the subject of the instant litigation.

DATED this 5th day of November , 2019.

By: 

MARK ANDERSON, ESQ.
Nevada Bar No.: 606
3057 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Telephone: (702) 765-0976
Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day November, 2019, I served a true and complete copy of the foregoing **DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF** addressed to the parties below to be served by electronic service through the District Court.

Eric R. Blank, Esq.
John R. Holliday, Esq.
ERIC BLANK INJURY LAWYERS
7860 W. Sahara Ave., Ste. 110
Las Vegas, NV 89117
Tel: (702) 222-2115
Fax: (702) 227-0615
Service@ericblanklaw.com
Attorney for Plaintiff


Paralegal to PURDY ANDERSON STORM

PURDY ANDERSON STORM
3199 E. Warm Springs Rd., Ste., 200
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Tel. (702) 765-0976 * Fax (702) 765-0981

1 INT

2 PURDY ANDERSON STORM

3 MARK ANDERSON, ESQ.

4 Nevada Bar No.: 606

5 3057 East Warm Springs Road, Suite 400

6 Las Vegas, Nevada 89120

7 Telephone: (702) 765-0976

8 Facsimile: (702) 765-0981

9 Email: manderson@keyinsco.com

10 Attorneys for Defendant

11 DISTRICT COURT

12 CLARK COUNTY, NEVADA

13 ARMANDO PONS-DIAZ, an individual,

14 Plaintiff,

15 vs.

16 VERONICA JAZMIN CASTILLO, an
17 individual; and DOES I through X, inclusive,

18 Defendants.

CASE NO.: A-19-789525-C

DEPT. NO.: IV

DEFENDANT'S INTEROGATORIES TO
PLAINTIFF

19 TO: ARMANDO PONS-DIAZ, PLAINTIFF;

20 TO: ERIC R. BLANK and JOHN R. HOLLIDAY, ESQ, ATTORNEYS FOR
21 PLAINTIFF..

22 COMES NOW Defendant VERONICA JAZMIN CASTILLO by and through his
23 attorneys of record, MARK ANDERSON, ESQ. of PURDY ANDERSON STORM, and
24 pursuant to NRCP 33, hereby requests that the above named Plaintiff answer in writing and
25 under oath within thirty (30) days

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1 upon receipt hereto, the following Interrogatories.

2 DATED this 5th day of November, 2019.

5 By: _____

MARK ANDERSON, ESQ.
Nevada Bar No.: 606
3057 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Telephone: (702) 765-0976
Attorneys for Defendant

9 **PRELIMINARY DEFINITIONS AND INTRUCTIONS**

11 The following preliminary definitions and instructions apply to each of the requests for
12 admission set forth herein and are deemed to be incorporated therein.

13
14 1. As used in these Interrogatories, the terms "document" and "writing" and
15 the plural forms thereof, shall mean all written, recorded, or graphic matters, however produced
16 or reproduced, of every kind of description, pertaining in any way to the subject matter of this
17 action. The terms "document" and "writing" shall include, but are not limited to, any books,
18 pamphlets, periodicals, memoranda (including those of telephonic, or oral, conversations),
19 contracts, correspondence, agreements, publications, financial records, security instruments,
20 disbursements, checks, bank statements, time records, accounting and/or financial records,
21 notes, diaries, logs, telegrams, or cables, prepared drafted received or sent, tapes, transcripts,
22 recordings, minutes of meetings, directives, work papers, charts, drawings, prints, flow sheets,
23 photographs, films, computer print outs, medical and hospital records and reports, x-ray
24 photographs, advertisements, catalogs, or any hand written, recorded, transcribed, taped,
25 filmed, or graphic matter, however produced or reproduced, in your possession, custody or
26 control, which you have or had access.
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1 2. As used throughout these Interrogatories,, the term "you", its plural or any
2 synonym thereof, is intended to and shall embrace and include in addition to the named party or
3 parties, counsel for such party or parties, and all agents, servants, employees, officers, directors,
4 representatives, investigators and others who are in possession of or who may have obtained
5 information for or on behalf of the named party or parties.
6

7 3. As used throughout these Interrogatories,, the term "person," its plural or any
8 synonym thereof, is intended to and shall embrace and include any individual, partnership,
9 corporation, company, association, government agency (whether federal, state local or any
10 agency of the government of a foreign country) or any other entity.
11

12 4. As used throughout these Interrogatories, the term "communication," its
13 plural or any synonym thereof, is intended to and shall embrace and include all written
14 communications, and with respect to all written communications, shall include, but is not
15 limited to, every discussion, conversation, conference, meeting, interview, telephone call, or
16 other professional service visit.
17

18 5. All information is to be divulged which is in your possession or control, or can be
19 ascertained upon reasonable investigation or areas within your control. The knowledge of your
20 attorney is deemed to be your knowledge, so that, apart from privileged matters, if your
21 attorney has knowledge of the information sought to be elicited herein, said knowledge must be
22 incorporated into these responses, even if such information is unknown to you individually.
23

24 6. Whenever you are unable to answer these Interrogatories, based upon your
25 own personal knowledge, please so state and identify the person or persons you believe to have
26 such knowledge, what you believe the correct answer to be, and the facts upon which you
27 based your response.
28

 7. Where an Interrogatory calls for an answer in more than one part, each part

1 should be separated so that the answer is clearly understandable.

2 8. Each Interrogatory should be construed independently. No Interrogatory should be
3 construed by reference to any other Interrogatory if the result is a limitation of the scope of the
4 answer to such request.

5 9. "And" and "or" shall be construed disjunctively or conjunctively as necessary, in
6 order to bring within the scope of the request for Interrogatories, all answers which might
7 otherwise be construed outside of its scope.

8 10. If an Interrogatory is objected to, in whole or in part, or if information
9 responsive to a request is withheld, on the ground of privilege or otherwise, please set forth
10 fully each objection, describe generally the information withheld, and set forth the facts upon
11 which you rely as a basis for each objection.

12 11. A party is under a duty to reasonably amend a prior answer to these Interrogatories,
13 if he or she obtains information upon which the basis of which: (1) he or she knows the answer
14 was incorrect when made, or (2) he or she knows that the answer, though correct when made,
15 is no longer true and the circumstances are such that a failure to amend the answer is in
16 substance a knowing concealment.

17 **12. PLAINTIFF IS ADVISED THAT FAILURE TO RESPOND WITHIN**
18 **THIRTY (30) DAYS FROM RECEIPT HEREOF, MAY BE DEEMED AS A WAIVER**
19 **TO ANY OBJECTIONS TO THESE INTERROGATORIES..**

20 **INTERROGATORY NO. 1:**

21 Identify yourself and further state:

22 a) all names by which you have been known;

23 b) your date and place of birth;

- c) your marital status;
- d) the identity of your spouse;
- e) the name and address of your employer; and
- f) your occupation and job duties.

INTERROGATORY NO. 2:

Please state whether you receive Medicare benefits, and if so, your HICN number.

INTERROGATORY NO. 3:

Please describe in your own words how the accident which is the subject of your lawsuit happened, listing all relevant events in detail in the order that they occurred. Please further indicate the following:

- a) the speed of your vehicle just prior to impact;
- b) the posted speed limit where the accident occurred;
- c) the direction of travel of all involved vehicle just prior to impact;
- d) any movements of the vehicle at the time of, and immediately following, the impact;
- e) whether any vehicle changed its direction or path of travel just prior to the impact.

INTERROGATORY NO. 4:

Itemize all expenses and other economic damages, past and future, that you claim are the result of the accident which is the subject of your lawsuit in your response, as to each item claimed, please identify the specific item, the amount claimed for the item, the method by which you computed that amount, the figures used in that computation, and the facts and/or assumptions upon which your claim is based.

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INTERROGATORY NO. 5:

Please state whether you have ever been convicted of a felony and/or a misdemeanor crime involving dishonesty. If so, please indicate the crime or offense for which you were convicted, the underlying facts regarding the offense, the jurisdiction in which the conviction was had, and the sentence and disposition of the criminal conviction.

INTERROGATORY NO. 6:

Please provide a full list of all health care providers, facilities, your personal /family physician, and pharmacies from whom you have obtained treatment, consultation, or obtained prescriptions from over the past five (5) years preceding the accident that is the subject of your lawsuit, to the present, including the names, addresses of each and the reason for each such treatment, consultation or prescription.

INTERROGATORY NO. 7:

For the prior seven (7) years, list all other injuries you have sustained, including but not necessarily limited to, injuries leading you to consult a health care provider, or file a claim or lawsuit, including but not limited to injuries sustained in a motor vehicle accident(s) or at work.

For each injury listed, please state:

- a) the date and place where the each injury was sustained;
- b) the nature of the injury;
- c) the name and address of each health care provider with whom you treated or consulted;
- d) the identity of all persons/insurance companies to whom a claim was made; and
- e) the Court in which a lawsuit was filed.

1 **INTERROGATORY NO. 8**

2 If you are making a claim for lost wages as a result of the accident which is the subject
3 of your lawsuit, please identify the specific injury, symptom, or disability which you claim
4 caused the loss of work time, the amount of time and wages lost, the name and address of your
5 employer, the identity if your immediate supervisor, and your current (or last if no longer
6 employed by such employer) hourly rate , wage or salary with said employer.
7

8 **INTERROGATORY NO. 9**

9 State all medications, including over the counter medications, prescriptions, or any
10 other drugs or narcotics, as well as any intoxicating beverages, consumed within 48 hours
11 preceding the accident which is the subject of your lawsuit, specifically setting forth what
12 substance was consumed and when such consumption took place.
13

14 **INTERROGATORY NO. 10**

15 If you claim that you are still experiencing or suffering from any symptoms, discomfort
16 or pain from any injuries you attribute to the accident which is the subject of your lawsuit, then
17 please state for each such symptom, discomfort or pain:
18

- 19
- 20 a) the location and nature of the symptom, discomfort or pain;
 - 21 b) the dates of treatment for each such symptom, discomfort or pain;
 - 22 c) whether you intend to seek any further treatment for such symptom, discomfort or
 - 23 pain; and

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1 d) from whom you intend to seek such treatment.
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3

4 DATED this 5th day of November, 2019.
5

6 By: 
7

MARK ANDERSON, ESQ.
Nevada Bar No.: 606
3057 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Telephone: (702) 765-0976
Attorneys for Defendant
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 07th day of November, 2019, I served a true and complete copy of the foregoing **DEFENDANT'S INTERROGATORIES TO PLAINTIFF** addressed to the parties below to be served by electronic service through the District Court.

Eric R. Blank, ESQ.
John R. Holliday, Esq.
ERIC BLANK INJURY LAWYERS
7860 W. Sahara Ave., Ste. 110
Las Vegas, NV 89117
Tel: (702) 222-2115
Fax: (702) 227-0615
Service@ericblanklaw.com
Attorney for Plaintiff



Paralegal to PURDY ANDERSON STORM

EXHIBIT “3”

EXHIBIT “3”

PURDY & ANDERSON
33057 E. Warm Springs Rd., Ste., 400
Las Vegas, Nevada 89120-3150
Tel. (702) 765-0976 * Fax (702) 765-0981

1 **OOJ**
2 **PURDY & ANDERSON**
3 MARK R. ANDERSON, ESQ.
4 Nevada Bar No. 000606
5 3057 East Warm Springs Road, Suite 400
6 Las Vegas, Nevada 89120
7 Telephone: (702) 765-0976
8 Facsimile: (702) 765-0981
9 Attorneys for Defendant

10 **EIGHTH JUDICIAL DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 ARMANDO PONS-DIAZ, an individual;

13 Plaintiff,

14 vs.

15 VERONICA JAZMIN CASTILLO, an
16 individual; and DOES I through X, inclusive;

17 Defendants

CASE NO.: A-19-789525-C
DEPT NO.: 4

OFFER OF JUDGMENT

18
19
20
21 TO: ARMANDO PONS-DIAZ, Plaintiff; and

22 TO: ERIC R. BLANK, ESQ. and JOHN R. HOLIDAY, ESQ. of ERIC BLANK INJURY
23 LAWYERS, Attorneys for Plaintiff.

24 Pursuant to N.R.C.P. Rule 68, Defendant, VERONICA JAZMIN CASTILLO, hereby
25 offers to allow Judgment to be taken against her by Plaintiff, ARMANDO PONS-DIAZ, in this
26 action, in the total amount of SIX THOUSAND FORTY FOUR DOLLARS (\$6,044.00). Costs
27
28

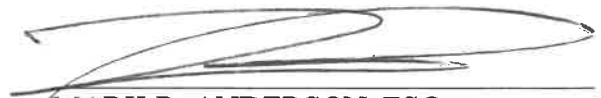
1 accrued and prejudgment interest to date are included in the amount offered and are not to be
2 awarded in addition to the sum of \$6,044.00.

3 This Offer of Judgment is made for the purposes specified in N.R.C.P. 68 and is not to
4 be construed as an admission that said Defendant is liable in this action or that the Plaintiff has
5 suffered any damages.

6 Each party to bear their own attorney fees.

7 DATED this 16th day of August, 2019.

8 **PURDY & ANDERSON**

9
10 

11 MARK R. ANDERSON, ESQ.
12 Nevada Bar No. 000606
13 3057 East Warm Springs Road, Suite 400
14 Las Vegas, Nevada 89120
15 Attorney for Defendant
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 20th day of August, 2019, a true and correct copy of the above and foregoing OFFER OF JUDGMENT was served via electronic service addressed as follows:

☐ by placing a true and correct copy of the same to be deposited for mailing in the U.S.

Mail, enclosed in a sealed envelope upon which first class postage was fully prepaid; and/or

☐ via facsimile; and or

☐ by hand delivery to the parties listed below; and or

☒ by electronic service via WIZNET through the District Court.

ERIC R. BLANK, ESQ.
JOHN R. HOLIDAY, ESQ.
ERIC BLANK INJURY LAWYERS
7860 W. Sahara Avenue, Ste. 110
Las Vegas, NV 89117
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Attorneys for Plaintiff



An Employee of Purdy & Anderson