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LOW-SPEED SIDESWIPE

Tractor Trailer vs. Automobile

\$500,000 Demand | Jury Verdict: \$0

Incident Description:

According to the deposition transcript of Ms. Claimant and other available documents, she was the belted driver of a 2002 Dodge Stratus that was traveling westbound on I-84 in Connecticut. Mr. Corporate Defendant was the driver of a 1986 International tractor/trailer that was traveling westbound on I-84 in a lane of travel to the right of Ms. Claimant's vehicle. Ms. Claimant stated she was stopped in traffic and that while Mr. Defendant was attempting to merge into her lane of travel, his 1986 tractor/trailer came into contact with the right side-view mirror of her 2002 Dodge Stratus. Both vehicles were driven from the scene by their owners.

Reported Injuries of the Claimant:

Based on her medical records, Ms. Claimant was diagnosed with the following injuries as a result of the subject incident:

- Cervical sprain/strain
- Loss of cervical lordosis
- C3-C4 through C7-T1 posterior disc herniations
- Thoracic sprain/strain
- Lumbar sprain/strain
- T12-L1 through L2-L3 posterior disc bulges
- L3-L4 through L5-S1 posterior disc herniations

Vehicle Damage and Severity Index:

The damage to the subject 2002 Dodge Stratus was assessed by utilizing color photographic reproductions and the repair estimate. The photographs of the subject Dodge Stratus show minor cosmetic damage, with the only apparent damage to the right side-view mirror, which is consistent with the description of the incident.

An exemplar right front door with an intact side-view mirror assembly was obtained from a 2002 Dodge Stratus. Testing of the side-view mirror assembly was then performed to determine the force-displacement characteristics. The failure load of the side-view mirror assembly indicated the maximum load placed upon the subject Dodge Stratus during the contact with the tractor/trailer. Testing indicated that at maximum load the acceleration of the subject Stratus would be a maximum of 0.2g, based upon the published weight of the subject Dodge Stratus. However, it should be noted that inclusion of the mass of Ms. Claimant would serve to reduce the acceleration of the subject Stratus. The limited damage is consistent with cosmetic damage only and based upon testing, the acceleration of the subject Dodge Stratus and Ms. Claimant was at, or below, 0.2g.

Findings:

ARCCA Biomedical Engineer, Dr. David Gushue, testified for the defense. He did not dispute the claimant's injuries which were diagnosed by her MD. However, after a detailed examination of claimant's injuries and the forces required to inflict such injuries vs. the forces present in this incident, based on a thorough scientific biomechanical analysis, Dr. Gushue concluded that these injuries could not have been sustained in this accident.

Jury Verdict: \$0