

# **Silbert, Garon, Pitre & Friedman**

## **Verdicts & Settlements**

Disclaimer: Note that the following cases are just a sampling of the many different types of cases successfully handled by our attorneys. The results obtained in these instances are based upon the unique facts of each case. Even if you have a potential case with identical or similar facts, remember that there is no guaranteed recovery and individual results may vary.

### **Tire/SUV defect**

\$12,000,000 plus confidential settlement for three deaths and one injury from a one-vehicle roll over after 360 degree tread separation of the left rear tire of an SUV. The defendants had denied liability based upon the fact that the tire had in excess of 57,000 miles and had less than 3/32 inch of tread remaining.

### **Head-on Collision with Propane Truck**

\$2,650,000 settlement in Mississippi for the driver of a small pick up truck who suffered multiple facial, skull and leg fractures and minor brain damage as a result of a crash. We prepared a 30 minute settlement video with computer graphics other counsel has described as being “like an episode on the Discovery Channel”. The settlement figure was in the range of Judgment value determined through a mock trial.

### **Wrongful Death on Interstate Highway Shoulder**

\$1,800,000 for the widow and two children of the driver of an SUV who had stepped on the shoulder of the highway due to a flat tire and was struck by an 18-wheeler. The defendant driver claimed the victim walked into the path of his truck on the highway. Through the use of an expert accident reconstructionist, we proved that the truck swerved onto the shoulder.

### **Wrongful Death of a Construction Worker at Port of Providence, Rhode Island**

\$750,000 (plus waiver of compensation lien) for welder assisting in repair of a gantry crane that was damaged in a storm who was struck in the face by a pneumatic jack. Though the injury was due primarily to co-worker neglect, we proved that plans for repair were unsafe due to omissions of an engineering firm over-seeing the job. Engineering firm funded the entire settlement.

## **Dredge Worker Injured Due to Defective Man Hole Cover**

\$825,000 pre-suit settlement for dredge worker who injured his knee and lower back when manhole cover collapsed under his weight off the coast of North Carolina. Investigation disclosed that the lip of the cover was corroded, causing poor fit of cover. Case settled at mediation.

## **Balcony railing collapses**

\$625,000 settlement for grossly intoxicated tenant who stumbled against rail of balcony outside his French Quarter apartment. Victim suffered broken hip and minor closed head injury. Discovery determined that management company had requested that owner fund repairs of stairs and balcony railings due to excessive dry rot. Owner failed to authorize the recommended repairs.

## **Ship Repairer Falls in Unguarded Hole**

Ship undergoing renovation at Owner's shipyard. Contract welder.

## **Highway Defect**

\$1,000,000 plus verdict for multiple victims seriously injured in rollover incident at dangerous curve on a Louisiana highway, where our investigation revealed that local residents had complained repeatedly to the state, with no luck, even after the local "Action Reporter" aired a story on the dangerous curve five months before our client's crash. One of the residents wrote a letter to the state begging them to do something before someone was killed. The curve was finally made safer 18 months later, at minimal cost, by striping the road, replacing signs and reflectors, and adding two large warning signs.

## **Trucking Collision**

Confidential multi-million dollar settlement to a young woman who suffered devastating injuries after she was ejected from her van after colliding with an 18 wheeler at an intersection. Our team of commercial trucking experts uncovered several federal violations with the commercial tractor-trailer. We also hired an expert in crash data recovery who was able to directly download information from the 18 wheeler which helped prove that the truck driver was speeding and acted recklessly. We created a settlement video which edited together portions of the truck driver's video deposition contrasted with the computer graphics from the "black box" data which clearly revealed that the truck driver was perjuring himself.

### **Premises liability**

Confidential settlement which compensated a mother and father for the untimely death of their late-term unborn child who bled to death in his mother's womb shortly after she tripped and fell on one of several defective walkways at the apartment complex where she resided. Our investigation led us to another tenant who had fallen in the same location months earlier, breaking his arm. Notwithstanding this prior accident, the evidence showed that the apartment complex had done nothing to address the problem. The case settled shortly after we sent the apartment complex's insurer our settlement brochure which not only set forth the horrible sufferings of our clients but also a picture of the other tenant standing at the accident scene ready to testify against the apartment for its callous disregard for the safety of its tenants.

### **Trucking Collision**

\$860,000 verdict for offshore worker who suffered a career ending injury from a rear-end wreck. Prior to trial, the defense had offered only \$100,000 and the defense counsel admitted after trial that he had evaluated the case as having a maximum verdict potential of \$250,000.

### **Premises Liability**

\$850,000 settlement for a fourteen year old boy who suffered an amputation of his leg when it was crushed by a large, swinging floodgate. Through intense investigation and numerous depositions we were able to prove that the City was negligent and failed to follow their own standards for maintenance and upkeep of these gates. We assisted this teenager in structuring the settlement so that he would receive monthly payments for many, many years which will provide a steady stream of compensation for the rest of his life.

### **Trucking Collision**

\$625,000 verdict for our client who got the worst of a collision between a cement truck and a family car, a crash that resulted in multiple surgeries and a permanent impairment of the client's ability to earn money for his family. There were several versions of how the accident occurred, but by the time our opponent's star witness took the stand, he had already been so effectively proven to be a liar that the judge personally swore in the witness in dramatic fashion, ending in a crescendo on the phrase "... so help you almighty God!" The judge completely accepted our client's version of how the accident occurred, and awarded judgment accordingly.. Only \$80,000 had been offered to our client prior to trial.

## **Nursing Home Neglect**

\$290,000 for the children of an elderly patient who was a resident of a nursing home for a few months during which time she developed bed sores. Despite the nursing home's contention that they provided proper care to this elderly woman, the sores became infected and required hospitalization. We presented evidence to a medical review panel which concluded that the nursing home failed to provide the mother with appropriate care resulting in a deterioration of her quality of life and a reduction in her life span. The case settled shortly after the panel decision and favorable depositions of the treating physicians.

## **Minimal Impact**

Despite an accident causing less than \$800 in property damage and an ankle injury that did not require surgery, we negotiated a settlement in the amount of \$540,000 for a client who re-injured his ankle and claimed he was unable to return to his former occupation.

## **Commercial Diving Accident**

\$1.4 million settlement for a commercial diver who was jet blasting with a tethered sled at a depth of 125 feet. The sled lacked the necessary stabilization equipment to safely operate in the existing sea conditions and slammed into the diver causing his helmet to become dislodged and shattered his femur. The combined fracture, head injury and CNS "hit" prevented the victim from returning to work as a commercial diver.

## **Medical Malpractice**

\$475,000 plus payment of post-settlement medical costs via settlement (\$25,000 less than the statutory maximum) for a woman suffering with an irregular heart beat who underwent a procedure and suffered a stroke 48 hours later. Although it took speaking to over a dozen physicians, we finally located someone who supported our theory that the doctor failed to place our client on the right medication prior to administering the procedure and concluded that the stroke, despite the time delay, was directly related to the procedure.

## **Medical Malpractice**

\$425,000 for a woman who suffered a bowel infection and loss of a portion of her intestines due to the malpractice of her family physician who had overprescribed antibiotic medication to her for a simple hang nail.

## **Trucking Collision**

\$1 million settlement for the surviving spouse and children of a man involved in a collision with an 18 wheeler. Despite the conclusions drawn by the investigating officer placing blame on our client for swerving into the tractor trailer, we worked with an accident reconstructionist who was able to exonerate our client and place fault on the driver of the 18 wheeler.

## **Roustabout Trips Over A Piece of Equipment on Rig**

\$400,000 for a roustabout who, despite walking the same route several times before the accident, tripped and fell on a piece of improperly stowed equipment which he had previously observed. Client suffered a knee injury which required several surgeries.