

BONEZZI SWITZER POLITO & PERRY CO. LPA

BSPP congratulates shareholders Brian D. Kerns and Jane F. Warner for delivering a win for clients State Farm and Defendant Michelle Dalton after a weeklong trial in Lorain County, Ohio. Plaintiff, a Michigan resident claimed to have sustained a back injury in 2016 from a 70-mph collision on the Ohio Turnpike. Plaintiff had a lumbar fusion with plate and screw fixation and alleged a broken screw in her spinal hardware.

Plaintiff argued the accident aggravated her preexisting degenerative condition and that the lumbar fusion and all subsequent bills were caused by the 2016 accident. Plaintiff's counsel boarded over \$390,000.00 in past medical bills, \$150,000.00 in wage loss for the two years following the accident, and she asked the jury to award Plaintiff \$30/day for pain and suffering for the remaining 42 years of her life expectancy (\$459,000.00).

Plaintiff called a medical expert from Jacksonville Florida who also claimed to be an expert in "Biomedical/Bio-mechanical" engineering. The expert testified that the forces in the accident caused the lumbar injury and resulting damages. Ms. Warner's medical knowledge (Jane was a practicing R.N. prior to becoming a trial lawyer) helped undermine the purported experts credibility.

It took the jury one hour to return a total verdict of only \$22,881.



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