

# Nelson & Dahle, P.C.

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## DISTRICT COURT

Sullivan v. Norby, Richland DV 01-25, 6/6/03.

VERDICT: \$8,600, failure-to-yield auto, admitted liability, neck/back/knee.

An 11-1 Sidney jury awarded Lisa Sullivan \$8,600 for injuries caused by Ralph Norby's admitted negligence in an auto collision in 4/98 in Sidney.

Norby, 74, failed to yield and struck Sullivan, 33. 5 hours later she went to the ER where she was uncomfortable in her neck, back, and knee. The knee pain resolved in 2 months. The low back pain mostly resolved. She had a congenital malrotation of the pelvis that contributed to the low back pain. She did not complain of numbness in her left arm until 5/99. Her proper medical records showed a 13-year history of left arm numbness. When she saw Drs. Echeverri and Moseley she said she had never had left arm numbness in 2003. She had \$43,000 in medicals.

Plaintiff's expert: neurologist John Moseley, Billings.

Defendant's expert: neurologist Patrick Cahill, Billings (deposed).

Original demand, \$60,000; original offer, \$7,500. Final demand, \$170,000, withdrawn after second surgery; final offer (offer of judgment), \$22,000. Jury request, \$77,000 medicals & wages plus general damages; jury suggestion, \$2,277 medicals, \$309 wages, \$6,000 general damages.

Jury deliberated 2 hours 3rd day; Judge Irigoien.

David Hermanson & Mark Stenehjem (McKennett, Stenehjem, Reiersen, Forsberg & Hermanson), Williston, for Sullivan; Randall Nelson (Nelson Law Firm), Billings, for Norby (State Farm Mutual Auto Ins.).

