

VIRGINIA LAWYERS WEEKLY

TRIAL REPORTS

Consumer Negligence

Automobile Accident

By Virginia Lawyers Weekly Staff
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Type of Action - Personal injury - automobile accident

Type of Injuries - Plaintiff sustained a large epidural hematoma to the left side of her brain, partial paralysis of right arm and hand, and partial brain damage

Name of Case - Farmer v. Crumpton

Court/Case No. - Buchanan County Circuit Court, Case No. CL219-00

Special Damages - Past medical expenses, \$168,000 - life care plan estimated future skilled nursing care costs in excess of \$712,000

Settlement - \$1,000,000

Mediator - McCammon Mediation Group

Attorneys for Plaintiff - Bruce D. Rasmussen, Charlottesville, and Paul R. Thomson III, Roanoke

Investigator for Plaintiff - Fred D. Sylvester, Roanoke

Plaintiff's Experts - Sharon Reavis of Health Information Resources, for the lifecare plan.

Defendant's Experts - None. Discovery had not begun

Other Useful Information - Plaintiff was a 70-year-old female passenger in a 1994 Chevrolet Blazer proceeding on Route 83 north in Grundy when a high school student pulled directly in front of her vehicle.

At the time of the accident, the plaintiff was a widow active in her community and church. Plaintiff's head struck the windshield in the accident, causing a large epidural hematoma to the left side of her brain.

Plaintiff was taken by medivac to Bristol Regional Medical Center. During transport, she had undergone respiratory failure and upon arrival, was taken directly to surgery. During the next few weeks, Farmer underwent numerous medical procedures, including emergency brain surgery to relieve the pressure and stop the bleeding, surgical placement of a feeding tube, surgical placement of an endotracheal tube so that she could be mechanically ventilated, and surgical placement of a triple lumen catheter. She was transferred to the cardiac intensive care unit where she was closely monitored.

On Nov. 15, 1999, Farmer was found cyanotic, unresponsive, with no pulse. She was revived by CPR, however she sustained several broken ribs. When rushed to the Surgical Intensive Care unit, it was found that Farmer had suffered a pulmonary embolus. To reduce the risk of getting another blood clot in her heart, another emergency surgery was performed, this time the insertion of a Greenfield filter into her inferior vena cava.

On Nov. 30, 1999, Farmer improved to the point where she was transferred to a skilled nursing facility. She continued to be fed through a feeding tube and still required mechanical ventilation through her trachea tube. Unfortunately, on Dec. 3, 1999, Farmer was again found cyanotic, unresponsive with no pulse or respiration. She was transported to Buchanan General Hospital, where again, she was revived. Farmer continued her stay and began physical therapy, where she regained the ability to walk with assistance and regained her speech.

At the time of mediation, Farmer was being cared for by her two daughters. Farmer will need permanent assistance due to the limitations caused as a result of this accident. After four hours of mediation, the case was settled for \$1 million. Liability was not contested and was somewhat aggravated due to the defendant's attempting a shortcut through a hospital parking lot in an attempt to "beat exiting school traffic."

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